

ARMBRUSTER GOLDSMITH & DELVAC LLP

LAND USE ENTITLEMENT □ LITIGATION □ MUNICIPAL ADVOCACY

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October 1, 2015

Via E-Mail

County of Los Angeles Board of Supervisors
500 W. Temple Street
Los Angeles, California 90012

Re: Rebuttal to Appeal of County Project No. TR-067861-(4): Marriott Courtyard & Residence Inn Project, Marina del Rey Parcel 9U

Honorable Mayor Antonovich and Supervisors:

Our law firm represents Sam Hardage, controlling member of MDR Hotels, LLC (the applicant in this case) and President and CEO of The Hardage Group. Mr. Hardage is proposing to develop a Marriott Courtyard & Residence Inn and associated public- and visitor-serving amenities on Marina del Rey lease Parcel 9U, a vacant parcel of County-owned land located at the northeasterly corner of Tahiti Way and Via Marina that is currently fenced off from public access. Our client proposes to construct a 288-room, dual-branded hotel (maximum of approximately 72-feet-tall) on the northerly 2.2 acres of Parcel 9U (the "Project"); a public upland and wetland park—a unique ecological feature that will be the first of its kind in Marina del Rey—will be developed adjacent to the hotel on the southerly 1.46 acres of the parcel. As noted, the Project includes an assortment of public- and visitor-serving amenities (including a 28-foot-wide waterfront public pedestrian promenade and an alfresco-style waterfront café that will be fully accessible to the public) and is wholly consistent with the parcel's zoning and development criteria per the certified Marina del Rey Local Coastal Program. Significantly, the hotel will also be the first unionized hotel in Marina del Rey.

At the conclusion of its July 22, 2015 public hearing regarding the Project, the Regional Planning Commission (the "RPC") followed its staff's recommendation and unanimously approved the land use permits authorizing development of the Project (the "Project Permits") and approved an Addendum to the certified EIR for the Project (the "Addendum"). In approving the Addendum, the RPC appropriately found that none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR had occurred. Representatives of the "Ballona Institute," Robert van de Hoek and Marcia Hanscom, subsequently appealed the RPC's approval of the Project Permits and Addendum to your Board.

ARMBRUSTER GOLDSMITH & DELVAC LLP

County of Los Angeles Board of Supervisors

October 1, 2015

Page 2

As set forth in detail in our responses to each of the Appellant's allegations regarding the Project (attached hereto, along with rebuttals to each of the Project opponents' written allegations regarding the Project), all of the Appellant's claims against the RPC's approval of the Project Permits and Addendum are warrantless. None of the Appellant's claims constitute substantial evidence; instead, all of their claims consist entirely of argument, speculation, unsubstantiated opinion or narrative, or evidence which is clearly erroneous or inaccurate. As such, at your October 6, 2015 public hearing on this matter, we respectfully ask that your Board deny the appeal and sustain the RPC's approval actions for the Project by voting to approve the Project Permits and Addendum.

Sincerely,

A handwritten signature in black ink, appearing to read 'Damon P. Mamalakis', with a stylized, flowing script.

Damon P. Mamalakis

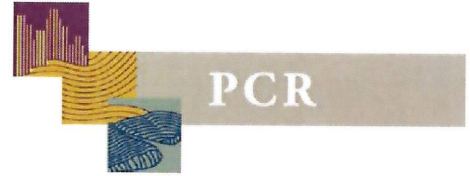
Attachments: PCR Memorandum, October 1, 2015: Marina del Rey Marriott Courtyard & Residence Inn Hotel Project – Responses to Appeal and RPC Written Comments

cc: Richard Bruckner, Director of Regional Planning (via e-mail)
Gary Jones, Director of Beaches & Harbors (via e-mail)
Sam Hardage (via e-mail)

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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Memorandum

TO: Kevin Finkel, AICP, Los Angeles County Department of Regional Planning
CC: Aaron Clark, Armbruster, Goldsmith and Delvac
FROM: Daryl Koutnik and David Crook, PCR Services Corporation
RE: **MARINA DEL REY MARRIOTT COURTYARD AND RESIDENCE INN HOTEL PROJECT – RESPONSES TO APPEAL AND RPC WRITTEN COMMENTS**

DATE: October 1, 2015

Attached to this Memorandum are responses to written comments submitted to the County in an Appeal Letter submitted on August 5, 2015 and at the public hearing for Project No. TR067861, held at the Hall of Records, 320 W. Temple Street Room 150, Los Angeles, California on Wednesday, July 22, 2015. Written comments in response to the Appeal letter are included in Attachment A, while responses to other written comment letters are included in Attachment B. A total of 18 comment letters were received including the Appeal letter. Each letter in Attachment B has been assigned a letter identifier (e.g., Letter A), and the comments within each letter have also been numbered. For example, the first comment in Letter A is numbered A-1. Following each scanned and numbered letter are correspondingly numbered responses to the comments.

As reflected in the attached responses to the comments received in the Appeal letter and at the hearing, neither the comments submitted, nor the responses provided, constitute new significant information warranting preparation of a Subsequent EIR or Supplemental EIR as set forth in State CEQA Guidelines Sections 15162 and 15163. Rather, the responses confirm that the EIR Addendum for the Marina Del Rey Marriott Courtyard and Residence Inn Hotel Project is the appropriate level of environmental documentation and has been prepared in accordance with CEQA. The reasons why the EIR Addendum is the appropriate environmental document are provided in detail in the attached Topical Response **A Supplemental Environmental Impact Report Is Not Required** (Attachment C).

ATTACHMENTS:

Attachment A: Appeal Letter and Responses to Appeal Letter Comments
Attachment B: Written Comments and Responses to Comments
Attachment C: Topical Response **A Supplemental Environmental Impact Report Is Not Required**

APPEAL

NON-APPLICANT

Date 8.5.15

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT

NO./CUP NO.: TR067861⁽⁴⁾ RCUP200600288

APPLICANT: % Aaron Clark, Armbruster Goldsmith + Delvac LLP
(Hardage LLC) - MDR HOTELS, LLC

LOCATION: LEASE PARCEL 9U, Marina del Rey, CA 90292

Zoned
District

Related zoning matters:

CUP(s) or VARIANCE No. RCUP200600288
RVAR 200600012 RCDP200600007

Change of Zone Case No. RPIKP200600020

Other SCH #2007031114

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented in person with a check or money order made payable to the "Board of Supervisors" (check or money order must be presented with personal identification), during regular business hours 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the above address. Contact the Zoning Section of the Board of Supervisors for information: (213) 974-1426.

This is to appeal: (Check one)

☐ The cost of Denial of this request: 843.00*

☒ The cost of Approval of this request: 843.00*

*Except for Subdivision appeals: \$130.00 of this appeal amount is allocated to the Board of Supervisors' Hearing

Briefly, explain the reason for the appeal (attach additional information if necessary):

We appeal based on numerous problems articulated and communicated to the County from various members of the public, including ourselves, and we incorporate by reference all comments and concerns reflected in the record for approval of these permits and CEQA approval. We especially appeal based on CEQA flaws, some of which are detailed in the attached letter. Changed circumstances require new or supplemental/subsequent EIR, piecemealing and lack of substantial evidence on the record are particularly egregious flaws in the process.

New information re:
special status species
on the property,
as well as drought,
cumulative impacts
must be addressed.

x Ballona Institute Robert van de Hoek
(Signed) Appellant
→ Robert van de Hoek President
+ Marcia Hunscom, Executive Director
322 Culver Blvd # 317 Marcia Hunscom
Address
Playa del Rey, CA 90293
City/Zip
310-817-2634- mobile-MarciaHunscom
Day Time Telephone Number
Wetlandact@earthlink.net
E-mail Address

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Effective 3/1/14

FILED

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To: Los Angeles County Board of Supervisors

August 5, 2015

**Re: APPEAL – Marina Marsh & Meadow – (parcel 9U) – at Tahiti Way & Via Marina
Tentative Tract Map TR067861
Conditional Use Permit: RCUP200600288
Coastal Development Permit: RCDP200600007
Variance: RVAR200600012
Parking Permit RPKP200600020
State Clearinghouse #2007031114**

HOTEL COMPLEX (Marriott Courtyard and Residence Inn)

Dear Supervisors:

This letter is to provide you with additional details for the appeal and related to our concerns about the approval of this project as referenced above. The referenced project is planned for what is commonly referred to by county bureaucrats as Parcel 9U. Parcel 9U is the historical Marina Marsh & Meadow – the only undeveloped part of the marina that once was part of the historical Ballona Wetlands. And, while the southernmost portion of this parcel is planned and mistakenly permitted to be subject to a manicured, “Frankenstein” version of a wetland (freshwater/brackish/willow woodland wetlands completely destroyed and then replaced by a historically inaccurate tidal wetland), this entire parcel was once part of the Ballona Wetlands marsh, which predated the environmental laws that came into being to protect natural resources, including wetlands. These laws were passed in the decade after Marina del Rey was first carved out of more than ½ of those historical acres of LA County’s largest coastal marsh – once known as La Ballona.

The haphazard “environmental review” that has been pushed through the approval process by the 4th District County Supervisor is the poster child for piecemealing, which is absolutely not allowed by the important law that governs the process for approval of projects like this – the California Environmental Quality Act (CEQA.)



322 Culver Blvd., Ste. 317 ~ Playa del Rey, CA 90293 ~ (310) 823-7040

According to the "Findings of Fact" for this project, as approved by the LA County Regional Planning Commission, there are five separate project components on three different parcels.

Also according to these "Findings of Fact," all five components were "approved" by the Board of Supervisors in April, 2011, except for what is designated as #3, "the Woodfin Suite and Timeshare Resort," which has been substantially altered and designed into what is arguably a completely different project. Yet, for an unexplained reason, environmental review documents for the previously planned five components are being used to substitute for the required independent review and analysis of this new Marriott hotel complex.

Many people who are familiar with environmental reviews in California are aware that one of the cornerstones of CEQA is the engagement with and the provision of information for the public and relevant entities concerned about environmental impacts of proposed projects. Since this new project was not re-circulated to the public nor to relevant agencies outside of the county, CEQA was circumvented in a way that is not allowable by law. Instead, an addendum to a project review that is for an entirely different project is tacked on as if there was simply a minimal redesign for a project and pretending that in summer or fall of 2015 we have similar circumstances as existed in the spring of 2011 (or 2009, when the original draft EIR was re-circulated) – which we do not.

Another problem is the mixing up of approvals for this hotel complex project with prior approvals for the four components of the larger project, which occurred in 2011.

While it was admitted that the hotel component on Parcel 9U was removed by the Board of Supervisors in 2011 from the approvals for the five-component project, the entire draft EIR, final EIR and other documents from that time period were inappropriately applied by staff and the Regional Planning Commission to this entirely newly-designed hotel complex.

Then, again inexplicably, the "Findings of Fact" also – while acknowledging that this component" of the five component project was not approved in 2011, and, in fact, **"remanded the project and all of its related entitlements."** states that the impacts and mitigations from the previously proposed Woodfin project were applied and authorized by the Supervisors then, which could not be possible since the addendum describing the new project had not yet been drafted.

Additionally, there are several changes that must be reviewed and commented on by the public, many of whom were not notified of the Addendum to the EIR, nor was any CEQA document for this newly conceived project properly circulated to relevant and interested agencies and entities. For instance, the Venice Neighborhood Council, whose territory immediately abuts Via Marina, and includes residents and businesses that will be impacted by this project, was not notified of the addendum nor asked to comment on it. The reason? The addendum was not circulated. It is clear that – had the legally proper review of this new project, a subsequent or supplemental EIR – been undertaken, that many more individuals, entities and agencies would have made comments and possibly requested new studies or new information since the last

circulation date of any of the EIR documents for SCH#2007-31114 was 2008. Given the new information about rare species on the subject parcel, the California Department of Fish & Wildlife, and the US Fish & Wildlife Service ought to have had the newly designed project information available for comment.

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(cont.)

It has been six years – since 2009 – when the last re-circulation of the EIR that is being relied on was undertaken – (albeit for a different project!) Best practices in CEQA require a new EIR to be undertaken after five years of the circulation to the public of such a document. There also is case law about stale information being relied on for a project with significant impacts on the community and the natural environment.

There are significant *changed circumstances* with the project surroundings, as well as with the project itself. Changed circumstances include, but are not limited to:

- the running of the Venice Dual-Force Main Sewer and related construction activity down Via Marina;
- the newly constructed Shores development, which is approx. 1.5-2 blocks away, and has brought far more intrusive impacts than anticipated to the surrounding community, including residents and businesses, as well as to visitors;
- the new construction beginning directly across the street from The Shores, and which appears to be a monstrous development;
- the planned redevelopment of Mariners Village, which was unknown by the public and not revealed in 2011, nor in 2007 or 2009 when previous versions of the EIR were circulated and re-circulated;
- new development on Marina Peninsula in the City of Los Angeles that has come online since the last time this EIR was re-circulated in 2009;
- new information about the wetland characteristics of the site;
- new information about rare wildlife species on the site;
- new information about the changes in hydrology contemplated by the approval of full tidal ocean water entering the soils, water table and aquifer on the immediately adjacent wetland approved by the Coastal Commission;
- new information about continuing drought that was not the situation in 2009;
- and many other circumstances that have been raised by members of the public.

9

These changed circumstances, as well as others, including those related to climate change, sea level rise, high-risk liquefaction and many other topics would have been included in a subsequent or supplemental EIR, which ought to have been circulated with the new, changed project and project description.

Even if one considers and concludes that piecemealing of this parcel from the other parcels is authorized (it is not, since it was described as one project, with five components in the EIR), at the very least there is piecemealing between the two or three components of Parcel 9U – including the hotel complex, the wetland revision and the boat docks alongside 9-U. All three of these projects need to be studied and analyzed together, and they have not yet been – since the boat docks and the wetland were studied in a review that was circulated to the public the last time in 2009, and the inappropriate addendum for the new hotel project was not even

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circulated, but analyzed by staff and developer consultants in 2014, when circumstances were very different than those in 2009.

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(cont.)

Besides the changed circumstances, as discussed above, but not limited only to those discussed above, there are changes in the specifics of the project itself that require a supplemental or subsequent EIR at the least, and perhaps a totally new EIR for either 9U parcel projects or for the entire 5-component project.

Here are just a small sampling of those changes which result in impacts that are greater than those analyzed and "approved" in 2011.

PARKING: The original "Woodfin" project included: 21 self-park spaces and 339 valet-managed parking spaces (total of 360); while the newly proposed Marriott project includes a total of 231 or 233 total spaces, depending on whether you accept the total of 231 that the RPC staff has concluded is the addition of 21 and 212 or whether you add those two numbers together and with old-fashioned arithmetic conclude the total is 233. Regardless, both 231 and 233 are significantly different and fewer than the original 360 spaces from the previous project. The difference in these numbers is just one example of why an addendum is an inadequate environmental review process. The parking number differences for the new project were significant enough that one member of the Regional Planning Commission asked several questions about how that number would be adequate for a hotel with the same number of rooms (288) as the original Woodfin project. The answers given by project consultants did not adequately answer the questions raised with any substantial evidence, as is required by CEQA, nor did they discuss mitigation for those impacts, which have not yet been analyzed. The on-the-ground result may be that hotel guests will be parking in the nearby neighborhoods, which is already parking-stressed.

11

WATER/DROUGHT: Because of California's serious water issues and declared drought, which was not taken into account in 2009, the last time the project under the SCH#200703114 was circulated to relevant agencies, organizations and members of the public, the newly proposed hotel complex really must be analyzed anew for water impacts. It's not enough to conclude that the mitigation measures outlined in the 2011 Board approval for an entirely different project should apply to this new project which is being proposed under entirely different, and dire circumstances. What is the water budget for this proposed project, and where, specifically, will this water come from?

12

Additionally, Regional Planning Commissioner Pincetl specified that drought tolerant and native plants need to be included and embraced in a new, dynamic manner in this project, and while, the project consultants agreed they would do this, there was no specificity or plan with materials, methods, expected outcomes by any expert introduced into the record or approved.

WETLANDS & SPECIES OF SPECIAL CONCERN: As time has passed, the extent of the wetland returning to its original marsh and willow woodland condition is significant, and the area that can be considered wetland is greater than it was in 2009, or 2011 or 2012, when the consultants for the project last visited the site, during only one season. I have visited the site regularly, throughout various seasons, and as I stated in my testimony at the Regional Planning

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Commission, it is clear that wetland vegetation is expanding on the entire unbuilt site of parcel 9U, the Marina Marsh & Meadow, as would be expected as nature heals and revives itself over time. The wetland, in other words, is not only located on the southern portion of the parcel of 9U, but is the entire parcel.

In addition, wetland birds and small mammals (which the birds hunt and prey upon) are present and use this land for foraging (food) and shelter or refuge. My professional opinion (from the photographs I've reviewed and requested to be taken by local concerned residents) is that the increasingly rare and imperiled South Coast Marsh Vole or Meadow Mouse (*Microtus californicus stephensi*) – a species of special concern candidate listed by the California Department of Fish & Wildlife – is present on the site. It must be assumed (taking into account the Precautionary Principle combined with historical ecology knowledge) that the Southern California Salt Marsh Shrew (*Sorex ornatus salicornicus*) is also living in this marsh. This species is another of the small mammals that lures the Great Blue Heron and the Great Egret to hunt and forage on this land. This mammal is extremely secretive and difficult to document without specialized wildlife survey methods employed. Because of the rarity of these species, very careful small mammal surveys need to be done to determine the number of animals present and how to preserve the land for this imperiled wildlife.

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(cont.)

Because of these changes and new information, it is inaccurate and inadequate to state that there will be no significant impacts to biota from the previously circulated environmental review documents. Additionally, the state and federal agencies charged with protecting these small mammal species that reside in marshes like this must be consulted with prior to approval of this new project.

TIMESHARE v. EXTENDED STAY: While the "timeshare" element of the previously proposed Woodfin project was asked to be removed because the California Coastal Commission does not favor permitting such in the Coastal Zone, the "extended stay" element of one of the hotel segments in this proposed project is no less troubling. Guests can stay 5 or more days in an extended stay situation, and any or all distinctions between the two situations need to be revealed in a full supplemental or subsequent review. Until such an analysis is completed, it is unclear whether or not a CDP – a Coastal Development Permit – should be issued by the County or whether it will be also approved in an appeal to the California Coastal Commission.

14

HYDROLOGY and SEAWALL REMOVAL: As I spoke about in my comments at the Regional Planning Commission hearing, my background in hydrology for the federal government and academic training causes me to have serious concerns about the environmental impacts of the removal of a seawall, or portion of a seawall, in order to accommodate the construction of a full tidal wetland on the southern portion of the parcel. Not only are there unknown impacts to this parcel without a full review and circulation of documents that highlight this issue, but also to adjacent parcels that might be impacted. The soils of the land beneath the proposed hotel project may be significantly impacted by inviting seawater in to the adjacent wetland area, and no analysis of these potential impacts took place since the idea of turning the freshwater/brackish & willow woodland wetlands into a full tidal wetland came about and was permitted by the Coastal Commission long after the environmental impact report for a previously planned hotel project was circulated. The impacts of opening up the parcel to full tidal ocean water

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must be studied and analyzed fully - with substantial evidence to back up any conclusions - before the final approvals for this project can legally proceed.

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(cont.)

FEDERAL REVIEW: Marcia Hanscom, Ballona Institute's Executive Director, rightly spoke to the need for the federal environmental review law, the National Environmental Policy Act (NEPA), which must also be followed. There are two significant triggers that require an EIS (Environmental Impact Statement) be completed for this project - one is the alteration of a wetland and the other is the removal of all or part of the seawall once designed and constructed under the oversight by the United States Army Corps of Engineers. Until the federal review is undertaken, it is premature to issue these permits from the County. Federal issues raised in such a review are important for the Supervisors to know about in case of additional mitigations or other considerations that might be appropriate.

16

INCREASED FLOOR AREA: The revised proposed hotel complex will have an "increase in construction activity associated with the increase in restaurant floor area." This is another greater significant impact than the prior project had and is another reason a supplemental or subsequent or completely revised draft EIR needs to be re-circulated.

17

CUMULATIVE IMPACTS: The several concurrent construction projects of significance that are being proposed or already are in process cry out for an updated cumulative impact analysis. Such a cumulative impact analysis is really owed to the many residents and businesses not only in county unincorporated areas of the marina, but also to the City of Los Angeles residents that will be impacted greatly by this proposed project and the others being undertaken by the County in Marina del Rey. No adequate cumulative analysis of these projects is in the record of approval for this hotel complex, and one needs to be completed as part of a supplemental or subsequent environmental impact report.

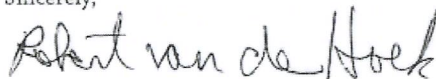
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ALL OTHER PUBLICLY-RAISED CONCERNS: As mentioned on the accompanying appeal form, we also incorporate by reference all documents and concerns raised through the public comment process to the Regional Planning Commission.

19

Should you have further questions or wish to contact us directly about this appeal and these submissions, please contact Marcia Hanscom, our Executive Director, on her mobile phone at 310-877-2634. Thank you.

Sincerely,



Robert van de Hoek
Conservation Biologist &
President
Ballona Institute

Cc: Marcia Hanscom, Executive Director, Ballona Institute

APPEAL LETTER

Ballona Institute
(August 5, 2015)

Response APPEAL-1

This comment indicates the general reason for the appeal is based on statements already on record from the Regional Planning Commission (RPC) public hearing. Responses to all written comments submitted to RPC are contained in the PCR Memorandum: Responses to Appeal and RPC Written Comments (October 2, 2015). The comment does not raise a specific issue on the content of the EIR Addendum, no further response is warranted.

Response APPEAL-2

These comments state that the approval appeal is primarily based on perceived CEQA flaws in the EIR Addendum, specifically the changed circumstances that should require a supplemental or subsequent EIR, the County environmental analysis was a piecemeal process, and that substantial evidence – about what is not specified – was lacking in the public record. This comment concludes that new information regarding special-status species, the current drought conditions, and cumulative impacts has occurred and must be addressed.

The Topical Response **A Supplemental Environmental Impact Report Is Not Required** (attached hereto) describes the reasons why the EIR Addendum is the appropriate CEQA document for the Marina del Rey Marriott Courtyard and Residence Inn Hotel (“Reduced-Scale”) Project. The County determined that none of the thresholds under State CEQA Guidelines Section 15162 have been crossed because no project impacts are greater than the original Certified EIR; as such the Addendum is appropriate. In fact, the County made the required finding: “Substantial evidence in the administrative record shows the Reduced-Scale Project necessitates minor technical changes or additions to the previously-certified EIR, but that none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.”

The County’s analysis for the Reduced-Scale Project was not undertaken in a piecemeal manner. The Certified EIR analyzed five separate project components located on three different parcels. These included (1) Neptune Marina on Parcel 10R; (2) Neptune Marina on Parcel FF; (3) the Woodfin Suite Hotel and Timeshare Resort on northerly portion of Parcel 9U; (4) a restored public wetland and upland park project on the southerly portion of Parcel 9U; and (5) a public-serving boat anchorage proximal to Parcel 9U within Marina del Rey Basin B. Component 1 includes the landside development of Parcel 10R with of a 400-unit, residential apartment community and waterside development in adjacent Basin B with a small craft anchorage consisting of 174 boat spaces. Component 2 includes the development of Parcel FF with a 126-unit apartment building and appurtenant improvements. Components 4 and 5 are associated with and offset the loss of open space-designated land (which currently is developed with a public surface parking lot) that will result from the development of Neptune Marina Parcel FF. All of these project components, with the exception of the Woodfin Suite Hotel and Timeshare Resort, were approved by the Board at the April 2011 public hearing. The EIR Addendum addresses only the Component 3 (hotel) on the northerly portion of

Parcel 9U, which the Board remanded back to the Commission for further consideration at the April 2011 public hearing, because it is the only component that requires additional environmental analysis for a project design change. The approved project components have not changed.

The current drought conditions experienced in California are not changed circumstances requiring major revisions of the previous EIR due to the involvement of new significant environmental effects. The Certified EIR included in the water supply analysis the consideration of multiple dry years. A reliable water supply is completely dependent on the availability of water from the district's wholesaler, West Basin Municipal Water District (WBMWD). WBMWD has taken important steps such as wastewater recycling and groundwater recharge to reduce the vulnerability of supplies to extended droughts or other potential threats to reliability. As indicated in the Certified EIR, the Metropolitan Water District (MWD) adopted in 2008 a long-term Water Supply Allocation Plan that may require reductions of full service deliveries during periods of drought.¹ MWD has used several of these types of initiatives in the past (e.g., during the droughts of 1977-78 and 1989-92), which allowed the agency to meet the needs of its member agencies.

There are no substantial changes in plans, policies, and regulations identified that would present new conflicts that would result in significant or substantially more severe physical impacts on the environment. Additionally, no substantial changes to the environmental setting in the Project area have been identified since the certification of the EIR. Overall, no substantial changes in circumstances have occurred since certification of the EIR that would result in new significant impacts or substantial increases in the severity of previously identified significant impacts.

The Southern California Salt Marsh Shrew (*Sorex ornatus salicornicus*) is found in coastal marshes of Los Angeles, Orange and Ventura Counties and requires dense vegetation. The species has been documented in 1991 to occur within the Ballona Marsh about 0.25 mile southwest of Lincoln and Jefferson Boulevards and the local population is considered to be extant by CDFW. The species is not listed on either the federal or State as Endangered or Threatened but is considered a California Species of Special Concern. The Certified EIR (Section 5.5.3.1 Terrestrial Flora) describes the vegetation on the majority of Parcel 9U (3.23 acres), including some portions of the excavated depression and all of the areas outside the depression (except the berm on the southern edge of the property), as ruderal and dominated by upland non-native herbaceous species. Additional vegetation communities on Parcel 9U include ruderal wetland (0.31 acre) with small locally dominant areas of native species, narrow-leaved willow scrub (0.22 acre) consisting of a berm dominated with narrow-leaved will (*Salix exigua*), and emergent marsh (0.04 acre) within the excavated basin and dominated with hydrophytic herbaceous species. The vegetation communities on the Project site does not provide suitable habitat to support this species because the emergent marsh community does not consist of dense vegetation and the community is too small in area to support viable population.

South Coast Marsh Vole or Meadow Mouse (*Microtus californicus stephensi*) is recorded at Ballona Creek, about 0.25 miles northwest of the intersection between Lincoln and Jefferson Boulevards. The species habitat is within tidal marshes found in Los Angeles, Orange and southern Ventura Counties. Most recent record for the species was in 1991 and the population is considered to be extant within the limited range. As discussed above, Parcel 9U contains mostly ruderal vegetation but also ruderal wetland, narrow-leaved willow scrub, and emergent marsh. None of these vegetation types are considered tidal marsh because there

¹ See Water Supply Allocation Plan Adopted by Metropolitan Board, MWD News Release, February 12, 2008, http://www.mwdh2o.com/mwdh2o/pages/news/press_releases/2008-02/allocation_plan.pdf.

is no tidal influence on the project site and any flooding would result only from seasonal rain events. As such, the vegetation communities on the Project site do not provide suitable habitat to support this species.

This species information does not constitute new information under CEQA Guidelines Section 15162 since the species information was known to occur within the Ballona wetlands prior to the preparation of the Certified EIR.

Cumulative project impacts have not substantially changed from the time of the Certified EIR. The buildout year for the proposed hotel has been updated to reflect the anticipated timing of project implementation, and an updated list of related projects has been prepared to reflect current development projects in the surrounding area to determine cumulative traffic conditions. The Re-circulated EIR already accounted for the Los Angeles City Venice Dual Force Main replacement sewer line. Further, one of the cumulative projects in the original analysis has been built and a second is under construction and will be completed before the hotel begins construction. Only Mariners Village is a new project that proposes no increase in operational traffic (the same number of apartment units) and, as a newer project, Mariners Village will provide the cumulative traffic analysis that includes the hotel.

Response APPEAL-3

This comment provides background information regarding the project location. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response APPEAL-4

This comment suggests that the County environmental review process was conducted in a piecemeal manner. CEQA Section 21159.27 prohibits piecemeal analysis such that “a project may not be divided into smaller projects to qualify for one or more exemptions.” The Reduced-Scale Project is not part of a larger project and has not requested an exemption from environmental analysis. As discussed above in Response APPEAL-2, the Certified EIR analyzed five separate project components located on three different parcels and each component was analyzed as independent projects in addition to the combined analysis. Only the hotel component design, the subject of the EIR Addendum, has undergone a minor design change so the other components do not require further environmental analysis.

Response APPEAL-5

The comment suggests that the proposed Reduced-Scale project design is a substantial change from the original hotel design analyzed in the Certified EIR. The commenter is incorrect. The Reduced-Scale project is still a hotel project (same use) with the same number of rooms in the same location; however the applicant has significantly reduced the project’s height, size and massing; the overall height has been reduced from 225 feet plus rooftop appurtenances to a maximum height of approximately 72 feet (approximately 61 feet along the Via Marina frontage with the approximately 72-foot tower slightly setback from Via Marina). The project would still provide 288 hotel rooms but in two lower-rise building “wings” oriented to the north

(Parcel 10R-facing) and south (wetland park-facing) instead of a single 19-story tower. In addition, the applicant has eliminated the timeshare component.

Like the Original Project, the Reduced-Scale Project would include meeting rooms, which can be combined to a single larger space, a restaurant facing the Marina, a dining deck facing the Marina, a bar, pool deck, and a sundry shop. The Reduced Scale Project would not include a spa or a formal ballroom, but would include a gym for hotel guests. The Reduced Scale Project would provide 212 parking spaces in a single level, as compared to the original six levels of parking. The originally proposed promenade amenities and the wetland park amenities and interface between the two remain unchanged, as do the hotel vehicular access and truck loading element on Via Marina.

Project changes have resulted in a lower-scale hotel project on the same site as the previously proposed 19-story hotel. Overall, the square footage of development proposed for the Project site would be reduced from approximately 547,000 square feet under the original design to approximately 263,400 square feet under the Reduced Scale Project which has reduced the height, scale and massing compared to the prior Project design. The changes in the Project are intended to reduce the impacts identified in the Certified EIR, and, as such, these changes to the Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Consequently, the previous environmental analysis for the Original Project evaluated a larger project and the EIR Addendum documents the reductions in environmental impacts resulting from the Reduced-Scale Project.

Response APPEAL-6

The comment suggests that because the Project design is different from the original design analyzed in the Original EIR that a new environmental analysis is required. The comment describes the Reduced-Scale Project as an “entirely different project” from the Original Project analyzed in the Certified EIR.

As discussed in Response APPEAL-5 above, the Reduced-Scale Project is similar to the Original Project – remains a hotel project with the same number of rooms, but the building design is reduced in height, scale and massing compared to the Original Project design. As such, the Reduced-Scale Project is not “entirely different” from that described in the Certified EIR. As discussed in the Topical Response **A Supplemental Environmental Impact Report Is Not Required**, circumstances have not substantially changed from the conditions described in the Certified EIR.

Response APPEAL-7

This comment describes a “mixing up of approvals” for the proposed Reduced-Scale Project with the Board of Supervisors approvals for the four components granted in 2011. The comment continues that the Certified EIR is an inappropriate environmental document, presumably because of the commenter’s inaccurate assumption that the Reduced-Scale Project is entirely new. Lastly, the comment misunderstands that the EIR Addendum incorporates the previous mitigation measures of the Certified EIR and that these apply to the recently approved Reduced-Scale Project and not to the unapproved Woodfin Suite Hotel and Timeshare Resort Project.

It is not clear what the commenter means in the mixing up of approvals but the County fully understands that the Board approvals in 2011 did not include approval of any project on the northern portion of Parcel 9U. Since the County certified the Original EIR in 2011 for the environmental analysis of the four approved components, the Certified EIR analysis for all five components was found to be accurate. So, although the hotel component was not approved, the environmental analysis for the previous hotel design was certified. When the applicant significantly reduced the Project's height, size and massing for an overall height reduced from 225 feet plus rooftop appurtenances to a maximum of approximately 72 feet, a completely new environmental analysis was not required because the majority of the project description remained similar or the same to that described in the Certified EIR. Based on the analysis presented herein, it has been determined that the Reduced Scale Project would not result in any new significant impacts or a substantial increase in the severity of an impact disclosed in the Certified EIR or otherwise require preparation of a subsequent of supplemental EIR.

Response APPEAL-8

The comment asserts that public notification of the Reduced-Scale Project hearing did not occur and that the appropriate environmental document should have been a supplemental or subsequent EIR. As discuss above under Response APPEAL-2 and in the Topical Response **A Supplemental Environmental Impact Report Is Not Required**, the EIR Addendum is the appropriate CEQA environmental document because it has been determined that the Reduced Scale Project would not result in any new significant impacts or a substantial increase in the severity of an impact disclosed in the Certified EIR or otherwise require preparation of a subsequent of supplemental EIR.

The Regional Planning Commission public hearing of July 22, 2015 was duly-noticed as required by County Code and that the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting. The project summary associated with the public hearing materials clearly stated that the environmental determination for the Project is an addendum to a previously certified Environmental Impact Report. There is no evidence of new rare species on the subject parcel, as the comment claims; see Response APPEAL-2 above and Response APPEAL-13 below for further discussion of presumed rare species.

Response APPEAL-9

The comment states that there significant changed circumstances since the time of the Certified EIR and that a subsequent or supplemental EIR should have been prepared. The changed circumstances listed by the commenter are discussed below.

The Los Angeles City Dual-Force Main Sewer project was fully discussed under cumulative impacts in the 2009 Re-Circulated DEIR. The recently constructed Shores project was also fully discussed under cumulative impacts in the 2009 Re-Circulated DEIR and whose cumulative construction impacts would no longer contribute to the cumulative analysis since the construction has now been completed. The Esprit II construction impacts were also fully discussed under cumulative impacts in the 2009 Re-Circulated DEIR and whose cumulative construction impacts will likely be completed prior to the commencement of construction of the Reduced-Scale Project. The Mariners Village project is a new project not included in the Certified EIR. As a new project, the Mariners Village EIR will include the proposed Reduced-Scale Project as a related project in the cumulative project impact analysis. Because the Reduced-Scale Project will mitigate for its project specific impacts, its contribution to cumulative significant impacts will accommodated through

the mitigation measures applicable in the Certified EIR. There is no new information regarding the wetlands occurring on Parcel 9U as the 2011 jurisdictional delineation by Glenn Lukos Associates continues to accurately described the resources on Parcel 9U. There is no new information regarding rare wildlife species published; see Response APPEAL-2 above and Response APPEAL-13 below. There is no new information regarding the Project site hydrology as the tidal connection for the Parcel 9U Wetland Park was described in the Implementation Plan on Page 5.5-36 of the 2008 Draft EIR. There is no new information concerning the drought that was not contemplated and analyzed in the Certified EIR. This was discussed in Section 5.9 Water Service of the Certified EIR and briefly summarized within the Topical Response. The same Topical Response also discusses why there are no changed circumstances that warrant the preparation of a supplement or subsequent EIR.

The Topical Response **A Supplemental Environmental Impact Report Is Not Required** describes the reasons why the EIR Addendum is the appropriate CEQA document for the Reduced-Scale Project.

Response APPEAL-10

This comment again claims the County of Los Angeles has undertaken a piecemeal approach to the environmental analysis and that the environmental analysis for the Reduced-Scale Project should have been included the approved restored public wetland and upland park project on the southerly portion of Parcel 9U and the public-serving boat anchorage within Marina del Rey Basin B, proximal to Parcel 9U.

As discussed above in Response APPEAL-4, the environmental analysis is not piecemeal. Only the hotel component design, the subject of the EIR Addendum, has undergone a minor design change so the other components do not require further environmental analysis.

Response APPEAL-11

The comment asserts that the Reduced-Scale Project parking space reduction from 360 to 231 spaces (212 within the parking garage and 19 surface spaces) is an impact greater than in the Certified EIR. Consistent with County Code parking requirements, which requires a total of 165 parking spaces for the Reduced-Scale Project, a minimum of 212 parking spaces would be provided in a single-level subterranean parking garage to serve the proposed hotel and accessory uses, as well as 21 public parking spaces (four of which would be free self-park and the remaining 17 valet parked) available for the adjacent Wetland Park, for a total parking supply of 231 spaces, inclusive of surface parking. The garage parking would be 100% valet serviced; as previously proposed, the applicant is seeking a Parking Permit to authorize commercial valet parking. Because of the compliance with the County Code in regard to parking spaces, there is no new or greater impact as a consequence.

Response APPEAL-12

The comment suggests that the current drought conditions experienced in California are changed circumstances requiring major revisions of the previous EIR due to the involvement of new significant environmental effects. The Certified EIR included in the water supply analysis the consideration of multiple dry years (see Section 5.9 Water Service of the Certified EIR).

The Reduced-Scale Project would involve similar construction activity and during operation would consume less water than the Original Project due to the elimination or reduction in the amount of certain uses that are ancillary to the hotel use. The Reduced-Scale Project would result in an overall decrease of 7,637 square feet in ancillary hotel uses (e.g., restaurant, meeting space, bar/lounge, etc.) compared to the Original Project, from 21,436 square feet to 13,799 square feet, which is primarily due to the elimination of ballroom and spa facilities under the Reduced-Scale Project. As a result of the Reduced-Scale Project hotel room selection, the Reduced-Scale Project would result in at least 1,360 gallons per day of reduced water demand (approximately 1.5 acre-feet per year in water savings). It would also implement the same mitigation measures as the Original Project. Therefore, the Reduced-Scale Project would have the same or lesser impacts regarding water service as the Original Project, including project-specific and cumulative impacts. Although California is currently experiencing extended drought conditions, water supplies to the Marina del Rey Water System, maintained by the Department of Public Works as Waterworks District No. 80, are provided by the WBMWD, which has various mechanisms in place to ensure that adequate water deliveries are provided to meet ongoing demands within its service area even through multiple-dry years (refer to WBMWD's 2010 Urban Water Management Plan).²

In addition to the estimated 1,360 gallons per day of reduced water demand, the Project will incorporate the following water conserving features: low flow toilets, low flow showerheads, low flow aerators, automatic shut off faucets in public and employee restrooms, drip irrigation, and drought tolerant planting. Therefore, the Reduced-Scale Project can be concluded as having a less than significant impact on water service.

Response APPEAL-13

The comment suggests changes to the biological resources of Parcel 9U is new information that warrants further environmental analysis. The wetland occurring on Parcel 9U has not substantially changed as the 2011 jurisdictional delineation by Glenn Lukos Associates continues to accurately describe the resources on Parcel 9U. In addition, permitting at the federal level through the U.S. Army Corps of Engineers (USACE) will utilize the Glenn Lukos Associates jurisdictional delineation in the processing of their respective regulatory permits. Where any federal-listed species under the Endangered Species Act may occur, consultation with the U.S. Fish and Wildlife Service will be required.

There is no new information in the California Natural Diversity Database (CNDDDB), the California Department of Fish and Wildlife (CDFW) species account database, for the presence of special-status species on Parcel 9U. As discussed above in Response APPEAL-2, the Southern California salt marsh shrew is not expected to occur on the Project site because the vegetation community on the Project site does not provide suitable habitat to support this species. Similarly, the south coast marsh vole or meadow is not expected to occur on the Project site because the vegetation community on the Project site does not provide suitable habitat to support this species. This supports the 2008 DEIR conclusion that "based on direct observations (Glenn Lukos Associates, 2006a) and review of CNDDDB records, no special-status plant or animal species were observed or are known to occur on or significantly utilize habitat present" on Parcel 9U (Page 5.5-56 of the Certified EIR).

² West Basin Municipal Water District. "2010 Urban Water Management Plan," Draft. April 2011. <http://www.westbasin.org/files/planning-UWMP/west-basin-draft-UWMP-2010-with-appendices.pdf>. Accessed September 2014.

Response APPEAL-14

The comment claims that the extended stay component of the Reduced-Scale Project requires a supplemental or subsequent environmental analysis because it is unclear whether such land use can be approved by the County or Coastal Commission. As described in the EIR Addendum, the Marriott Residence Inn would be an "Extended Stay" hotel, including amenities and services allowing guests to maintain their personal and business routines while providing personal comforts, such as a kitchen for self-prepared meals. The length of stay for "extended stay" guests may be five or more nights. It is anticipated that the hotel would not have impacts greater than those analyzed in the Certified EIR for the timeshare component previously proposed for the Woodfin Suite Hotel and Timeshare Resort. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response APPEAL-15

The comment claims that the tidal connection for the wetland park requires additional analysis for possible hydrological impacts. The wetland park design with the tidal connection was described in the Certified EIR (see Section 5.5 Biota). The design was prepared by Glenn Lukos Associates and requested by Dr. John Dixon of the California Coastal Commission staff. Dr. Dixon requested that a tidal area with coastal salt marsh vegetation be considered for the park site and to be best accomplished by means of a short, piped connection between Marina Basin B and the wetland area that would provide for salt marsh habitat that would be subject to daily tidal flooding. Because this feature of the wetland park was fully disclosed in the Certified EIR, no further analysis is required. Moreover, the design is not part of the addendum and the time to have challenged the design for the park under the certified EIR has long since passed.

Response APPEAL-16

The comment suggests that federal review under the National Environmental Protection Act (NEPA) is required for processing of the USACE 404 permit. This statement is accurate and is separate from the CEQA analysis required for the County to approve the requested entitlements. Because the processing of the 404 permit is a separate action by the USACE, there is no reason why the County needs to delay approval considerations until that action is completed.

Response APPEAL-17

The comment regarding the increase in restaurant floor area is taken out of context. The completed sentence is "With respect to on-site construction-related noise, the increase in construction activity associated with the increase in restaurant floor area would be offset by a reduction in the floor area for meeting rooms and ballrooms and the reduction in excavated and exported soil." The EIR Addendum also states that the Reduced-Scale Project would result in an overall decrease of 7,637 square feet in ancillary hotel uses. Impacts associated with the ancillary uses of the hotel will be less than analyzed in the Certified EIR because of the reduction in area.

Response APPEAL-18

The comment claims that cumulative impacts analysis was not adequate because several projects would be under concurrent construction. As stated in the Topical Response **A Supplemental Environmental Impact Report Is Not Required**, the traffic analysis in the Addendum (Supplemental TIA) determined that the cumulative traffic projections were accurate and has not been exceeded as determined with updated traffic counts and review by County Traffic and Lighting. The Re-circulated EIR already accounted for the Los Angeles City Venice Dual Force Main replacement sewer line. Further, one of the cumulative projects in the original analysis has been built and a second is under construction and will be completed before the hotel begins construction. Mariners Village is a new project that proposes no increase in operational traffic (the same number of apartment units) and, as a newer project, Mariners Village will provide the cumulative traffic analysis that includes the hotel.

Response APPEAL-19

This comment states that all other concerns raised at the public hearing are incorporated in the appeal. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER A



July 22, 2015

To: Los Angeles County Regional Planning Commissioners:

Pat Modugno, Chair
Stephanie Pincetl, Vice Chair
David W. Louis
Curt Pedersen
Esther L. Valadez

Re: Item #8 - Project No. TR067861 (Parcel 9U, Wetlands on the Public Lands of Marina del Rey)

Substantial Issues With the Project :

1. Cannot build on protected areas in the Coastal Zone.

Wetlands serve an important ecological function and are protected under the California Coastal Act.

2. Parcel 9U should be separated into two parcels - a protected wetland and a parcel for development, reflecting the two different land uses.

Historically, Los Angeles County has separated parcels based on their land use characteristics. The best planning practices involve the placement of appropriate land uses on respective parcels.

3. The hotel should adhere to the Local Coastal Program and have designated view corridors.

There is a requirement of a 20% view corridor to ensure that our coastal regions are also visually accessible and not walled off. The proximity of a protected wetland should not affect the requirement that prohibits massing along the water.

4. A non-profit environmental organization filed a lawsuit against the proposed project on 9U and no mention was made available regarding the complaint.

A true public process is being evaded by withholding important information from the citizens that simply chose to view or fully participate in the process.

5. The public should have equal access to all areas on public land.

Public lands purchased with taxpayer money should have equal access and "fair and equitable pricing" as set forth in the federal mandate of Marina del Rey (House Document 389)

6. Parking for the wetland on 9U should not involve a valet service and parking should be designated for the Waterbus.

Valet parking is an inappropriate use for the citizens viewing natural environmental assets. Furthermore, parking should be set aside for County residents and visitors wishing to use the Waterbus.

6
(cont.)

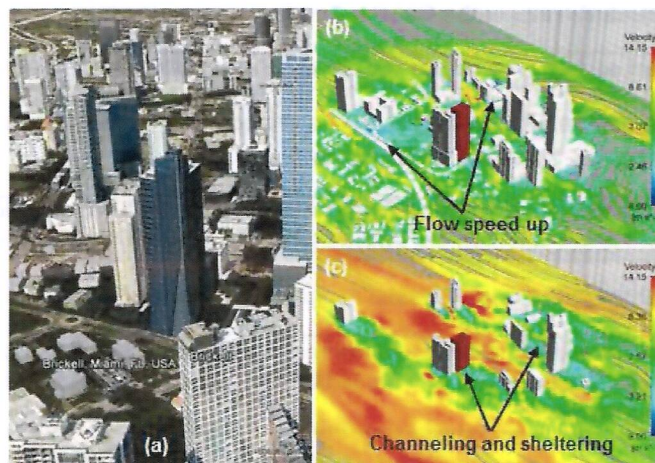
7. The Public Promenade (Fire Lane) should not be closed by the lessee for any reason.

7

The Public Promenade is to remain open at all times except during emergency use.

8. The Wind Study conducted by RWDI is flawed in its premise that the wind patterns and effects of wind will not be significantly different by the change in the project from a 19 story building to a two-winged concept.

There is a significant lack of detail concerning the affect of the wind on the harbor (recreational uses). A newer, computer-based simulation techniques like computational fluid dynamics (CFD) should be utilized for this project. channeling (which speeds up the wind) and sheltering (which creates a region of high suction) can manifest around the different structures. In using small-scale structures in a traditional wind tunnel, it would be difficult to capture these phenomena visually (with smoke) or to measure them with instruments. However, modeling in full scale with CFD allows the researcher to control the level of measurement and observational detail needed.



8

Submitted by:

Jon Nahhas



LETTER A

The Boating Coalition
(July 22, 2015)

Response A-1

The comment claims that the hotel development cannot be build on protected coastal lands where the Coastal Act protects wetlands. The Coastal Act does provide protection measures for coastal wetlands; however, the hotel project is proposed on the northern portion of Parcel 9U where coastal wetlands do not occur. Therefore it can be included that wetlands will not be impacted by the proposed project, as stated in the Certified EIR. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-2

The comment recommends that Parcel 9U should be divided into two parcels, one for protecting wetlands and one for the proposed development. While some planning practices may suggest that separate land uses be designated on separate land parcels, there is no County policy or regulation that mandates this requirement. The southern portion of Parcel 9U has been approved for a wetland park and the land use category for the northern portion allows for the development of a hotel. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-3

The comment states that the hotel should comply with the Local Coastal Program and provide a view corridor. The project has been designed with an unobstructed view corridor comprising 41 percent of the parcel's frontage on Via Marina (159 feet); this large public view corridor would be provided over the public Wetland Park to be developed on the southerly approximately 1.46 acres of the parcel. A view corridor totaling 20 percent of the parcel's water frontage is required for the proposed hotel, which would not exceed 72 feet in height. The subject parcel contains 386 feet of water frontage; therefore, per the certified LCP's view corridor requirements, a minimum view corridor comprising 78 linear feet of the parcel's water frontage is required. The Reduced-Scale Project provides 159 linear feet of view corridor, which is 81 linear feet in excess of the view corridor required by the certified LCP. Because the Reduced-Scale Project provides substantially more view corridor (159 linear feet) than required per the certified LCP (78 linear feet), the proposed hotel is consistent with provisions of the certified LCP calling for public and private views of the Marina from perimeter roadways. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-4

The comment regarding the litigation filed on Parcel 9U by non-profit environmental organization is noted. However, that litigation was filed in regard to the wetlands park approved on the southern portion of Parcel 9U and not the proposed hotel use on the northern portion. In addition, that litigation has been resolved and is no longer applicable. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-5

The comment regarding the public having equal access to public lands is noted. The Reduced-Scale Project would provide public access to the waterfront through the provision of the 28-foot public waterfront promenade. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-6

The comments regarding the wetland park parking should not be valet parking and the waterbus stop should have designated parking are noted. The comments will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-7

The comments regarding the public promenade not being closed by lessee for any reason is noted. The lessee's permitted uses in regard to the public promenade will be specified in the project conditional approvals for the conditional use and the coastal development permits. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response A-8

The comments question the wind study conclusion that the wind patterns would not be significantly different after completion of the Reduced-Scale project and that the wind study methodology. The April 25, 2011 Rowan Williams Davies & Irwin Inc. (RWDI) wind assessment for the Reduced-Scale Project does not conclude that "wind patterns and effects of wind will not be significantly different by the change in the project from a 19 story building to a tow-winged concept" as the comment claims. The RWDI letter states that "the current development on wind patterns within the adjacent marinas is expected to be reduced considerably from what that was predicted in our wind tunnel study in 2005." The RWDI letter continues that "It is our opinion that the general air circulation patterns and the use of surface winds by birds in Marina del Rey will not be affected by the proposed development." Because the Reduced-Scale Project would have a considerably reduced effect on wind patterns, the EIR Addendum concludes there will be a less than significant impact. RWDI used the appropriate methodology to assess potential impacts. Specifically, the RWDI study utilized a scale model of the previously proposed 19-story building for wind tunnel testing, which is accepted as an industry standard for wind modeling. The wind tunnel model was instrumented with a total of 47 wind sensors located in Basins A, B and C, and at land locations along Marquesas Way and

Tahiti Way, as well as near the proposed development. It was tested in RWDI's boundary layer wind tunnel for the predominant wind directions, which are west, west-southwest, southwest and east. The sensors were developed by RWDI for use on scale models and are capable of measuring both changes in wind speed and wind direction, at a full scale height of approximately 15 feet. The wind analysis considered if the proposed development would result in changes to the local wind direction or mean speed between adjacent sensors that are greater than the difference presently experienced between any two adjacent sensors. Until criteria are established by the County of Los Angeles, this is the best method of assessing the impact of the proposed developments on the sailing conditions in the marina.

UNITE HERE! LOCAL 11

LETTER B

June 3, 2015

Los Angeles County Board of Supervisors
Attn: Supervisor Sheila Kuehl
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Kuehl:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

This is the first labor peace agreement for a hotel development in the Marina. It is a good precedent for the County to set regarding its financial interests in the hospitality industry.

If you have any questions or concerns please feel free to call me at (213) 481-8530.

Sincerely,



Thomas Walsh
President

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Inglewood, CA 90304
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**UNITEHERE!
LOCAL 11**

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Hilda Solis
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Solis:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

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UNITE HERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Mark Ridley-Thomas
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Ridley-Thomas:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

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**UNITEHERE!
LOCAL 11**

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Michael Antonovich
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Mayor Antonovich:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

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UNITE HERE LOCAL 11

UNITEHERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Don Knabe
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Knabe:

I write on behalf of the 20,000 hotel and food service workers that UNITEHERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

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LETTER B

Unite Here Local 11
(June 3, 2015)

Response B-1 through B-5

The comments sent to each County of Los Angeles Supervisor office regarding the applicant's agreement to operate the hotel under a labor peace agreement is notable and the Unite Here Local 11's support for the project is acknowledged. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER C

From: [Andrea MacKenzie](#)
To: [Richard Bruckner](#); [Kevin Finkel](#); [Sheila@bos.lacounty.gov](#); [Don@bos.lacounty.gov](#)
Subject: comments for tomorrow's regional planning meeting
Date: Tuesday, July 21, 2015 3:22:51 PM

To All,

Please include my comments below in the public record for tomorrow's regional planning meeting, specifically regarding the proposed Marriott Hotel on Via Marina:

I strongly oppose the use of that beautiful land on via Marina to be used for a Marriott Courtyard and Residence Inn. It should instead be used for a public park where people can enjoy the one parcel of land left in Marina del Rey that has not been destroyed by construction, congestion, and greed. 1

I am a homeowner in Marina del Rey and I have a major concern regarding the traffic along Via Marina that has grown exponentially in the past 5 years. We do not need another large facility adding to the traffic up and down this street. Aside from the inconvenience of heavy traffic, there are also many dangers to our safety, our health, and our environment that continue to pile up as the City and County of Los Angeles continue to build in and destroy this area. 2

My home is surrounded by water on 3 sides and the only major street that gives us an escape route in the case of emergency is Via Marina. With the pipeline coming in, more and more construction, and the overall growing population of the area, it is beginning to feel as though our government officials have no concern for our well-being. We feel trapped, powerless, and ignored in our own community. 3

Give us a park. give us something we can use that increases our well-being, and I'll start to reconsider this. 4

Thank you,
Andrea

Andrea MacKenzie

LETTER C

Andrea MacKensie
(July 21, 2015)

Response C-1

This comment in opposition of the Reduced-Scale Project is noted and will be provided to the decision makers for their consideration. The southern portion of Parcel 9U is approved for an approximately 1.46 acre public wetland and upland park (i.e., the Wetland Park described in the Certified EIR for Parcel 9U), for which public parking will be provided within the proposed Reduced-Scale Project. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response C-2

The comments regarding traffic and other development related concerns are noted. Within the County's jurisdiction, development potential has been part of the Marina del Rey Specific Plan since the 1996 comprehensive update and that growth potential was specifically tied to traffic-related issues. A January 2014 Supplemental Traffic Impact Analysis was prepared to compare with the original 2007 Traffic Impact Analysis. Based on a comparison of the related projects between Year 2007 and Year 2013 conditions, it was concluded that, since the March 20, 2010 EIR certification for the Original Project, there have been no significant changes to related projects in the project area that could have substantial implications with regard to cumulative impacts that were previously analyzed. Overall, under Year 2013 conditions, there are fewer related projects in the immediate vicinity of the Project site, as shown in the respective related project location maps referenced above. Additionally, overall cumulative traffic generation for Year 2013 conditions is lower than under Year 2007 conditions. As such, the Reduced-Scale Project would not result in any new significant impacts or increase the severity of impacts already identified in the Certified EIR.

Response C-3

The comments regarding cumulative impacts including the Venice Dual Force Main sewer project are noted. The Certified EIR considered in the 2009 Re-circulated DEIR the potential impacts to traffic with a worst case analysis of simultaneous construction of Bar Harbor (Esprit II), the Shores Apartments, the Venice Dual Force Main sewer, Neptune Marina Apartments and the proposed hotel. The Certified EIR concluded that potentially significant impacts would result for construction-related Noise and Vibration impacts, construction-related Air Quality impacts, cumulative construction Noise and Vibration impacts, cumulative construction Air Quality impacts, and cumulative Construction Traffic impacts. The Shores project is now complete and the Bar Harbor construction impacts would mostly be complete by the time the hotel project is under construction. These construction impacts are temporary and would not be long-term.

Response C-4

The comment regarding the desire for a public park is noted and will be provided to the decision makers for their consideration. As mentioned above in Response C-1, the southern portion of Parcel 9U is approved for a public park which will be constructed as a Wetland Park. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER D

Barbara Slavin
14014 Northwest Passage, @122
Marina del Rey, CA 90292

July 20, 2015

Kevin Finkel
Los Angeles County Department of Regional Planning
kfinkel@planning.lacounty.gov
Hearing: July 22, 2015

RE: #8 Project TR067861-(4) - Hardage Group/Woodfin hotel - Parcel 9U in Marina del Rey

Dear Mr. Finkel and Department of Regional Planning Commissioners:

I am writing to request that the Department of Regional Planning not approve Project TR067861-(4), the Hardage Group/Woodfin hotel in Marina del Rey Parcel 9U based on changed circumstances: the California drought and the restrictions and ordinances recently put in place to address it. Please request a new EIR. Also, please deny the request for zero set off.

Under CEQA 1516.2, a substantial change with respect to the circumstances under which the project was undertaken will require major revisions. Most of us would agree that the drought is a substantial change, and now good government is responding. The State Water Resources Control Board passed revisions; the Los Angeles County Department of Water & Power is putting in place its Storm Water Capture Master Plan; and the California Water Commission revised its ordinance.

The ecologically sensitive location of the project, adjacent to the waterfront and wetlands park, positions it to benefit tremendously by including many revisions in these regulations and ordinances, if it is built. This location is just the kind that many of these were designed to protect. Future Angelinos will wonder what County Planners were thinking if these plans are approved in the face of the drought and good government's new revisions and regulations.

The request for zero set off would eliminate the sidewalk along Via Marina for people walking to the popular Marina del Rey Farmers Market.

Please exercise the vision the people of Los Angeles County have entrusted to you. Deny approval, request a new EIR and send this project back to the drawing board.

Kind regards,

Barbara Slavin

LETTER D

Barbara Slavin
(July 22, 2015)

Response D-1

This comment in opposition of the Reduced-Scale Project is noted. The commenter suggests that the current drought conditions in California constitute a substantial change in circumstances such that preparation of a new EIR or Supplemental EIR is warranted, and also requests that the zero setback request be denied. However, as discussed in **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis**, the Reduced-Scale Project would not result in any increases in water demand compared to the Original Project, and would also be required to implement applicable water use restrictions and incorporate water conservation features such as low-flow fixtures, drought-tolerant landscaping, and other features to further reduce demand for potable water. The commenter's request to deny the zero setback is not relevant to the analysis presented in the EIR Addendum and the comment does not raise a substantive issue on the content of the document. As such, no further response is warranted.

Response D-2

Please see Response to Comment D-1 above and **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis** regarding changes in circumstances as relates to drought conditions. Recent legislation or other actions taken by government agencies to address water supply issues are not germane to the EIR Addendum or the analyses presented therein. As such, no further response is warranted.

Response D-3

The commenter suggests that various regulatory requirements would benefit the Reduced-Scale Project if it were implemented, but offers no specifics regarding how and to what extent such benefits would be realized nor identifies any particular regulatory requirements. This comment does not raise a substantive issue on the content of the EIR Addendum, and therefore no further response is necessary.

Response D-4

The commenter states that allowing the zero setback would eliminate the existing sidewalk along Via Marina; however, the zero setback would only affect the eastern property boundary along the proposed 28-foot-wide public waterfront promenade, not the site frontage along Via Marina. Thus, the sidewalk would be maintained. No further response is warranted.

Response D-5

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER E

From: Patrick D
To: Kevin Finkel
Subject: Hearing: July 22, 2015
Date: Tuesday, July 21, 2015 10:42:29 PM
Importance: High

21 July, 2015

Kevin Finkel
Los Angeles County Department of Regional Planning
kfinkel@planning.lacounty.gov

Ref: Hearing: July 22, 2015
RE: #8 Project TR067861-(4) - Hardage Group/Woodfin hotel - Parcel 9U in Marina del Rey

Dear Mr. Finkel and Department of Regional Planning Commissioners:

I am writing to request that the Department of Regional Planning not approve Project TR067861-(4), the Hardage Group/Woodfin hotel in Marina del Rey Parcel 9U based on changed circumstances: the California drought, the restrictions and ordinances recently put in place to address it, and the current large amount of construction already taking place in the Via Marina area. Please request a new EIR. Also, please deny the request for zero set off.

Under CEQA 1516.2, a substantial change with respect to the circumstances under which the project was undertaken will require major revisions. Most of us would agree that the drought is a substantial change, and now good government is responding. The State Water Resources Control Board passed revisions; the Los Angeles County Department of Water & Power is putting in place its Storm Water Capture Master Plan; and the California Water Commission revised its ordinance.

The ecologically sensitive location of the project, adjacent to the waterfront and wetlands park, positions it to benefit tremendously by including many revisions in these regulations and ordinances, if it is built. This location is just the kind that many of these were designed to protect. Future Angelinos will wonder what County Planners were thinking if these plans are approved in the face of the drought and good government's new revisions and regulations.

The high volume of current and future projects already approved and in progress along Via Marina will have a drastic negative impact on traffic.

The request for zero set off would eliminate the sidewalk along Via Marina for people walking to the popular Marina del Rey Farmers Market.

Please exercise the vision the people of Los Angeles County have entrusted to you. Deny approval, request a new EIR and send this project back to the drawing board.

Sincerely,

Barry P Day
5011 Roma Court
Marina Del Rey, CA 90292

LETTER E

Barry Day
(July 21, 2015)

Response E-1

This comment in opposition of the Reduced-Scale Project is noted. The commenter suggests that the current drought conditions in California constitute a substantial change in circumstances such that preparation of a new EIR or Supplemental EIR is warranted, and also requests that the zero setback request be denied. However, as discussed in **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis**, the Reduced-Scale Project would not result in any increases in water demand compared to the Original Project, and would also be required to implement applicable water use restrictions and incorporate water conservation features such as low-flow fixtures, drought-tolerant landscaping, and other features to further reduce demand for potable water. The commenter's request to deny the zero setback is not relevant to the analysis presented in the EIR Addendum and the comment does not raise a substantive issue on the content of the document. As such, no further response is warranted.

Response E-2

Please see Response to Comment E-1 above and **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis** regarding changes in circumstances as relates to drought conditions. Recent legislation or other actions taken by government agencies to address water supply issues are not germane to the EIR Addendum or the analyses presented therein. As such, no further response is warranted.

Response E-3

The commenter suggests that various regulatory requirements would benefit the Reduced-Scale Project if it were implemented, but offers no specifics regarding how and to what extent such benefits would be realized nor identifies any particular regulatory requirements. This comment does not raise a substantive issue on the content of the EIR Addendum, and therefore no further response is necessary.

Response E-4

A January 2014 Supplemental Traffic Impact Analysis was prepared to compare with the original 2007 Traffic Impact Analysis. Based on a comparison of the related projects between Year 2007 and Year 2013 conditions, it can be concluded that, since the March 20, 2010 EIR certification for the Original Project, there have been no significant changes to related projects in the project area that could have substantial implications with regard to cumulative impacts that were previously analyzed. Overall, under Year 2013 conditions, there are fewer related projects in the immediate vicinity of the Project site, as shown in the respective related project location maps referenced above. Additionally, overall cumulative traffic

generation for Year 2013 conditions is lower than under Year 2007 conditions. As such, the Reduced-Scale Project would not result in any new significant impacts or increase the severity of impacts already identified in the Certified EIR.

Response E-5

The commenter states that allowing the zero setback would eliminate the existing sidewalk along Via Marina; however, the zero setback would only affect the eastern property boundary along the proposed 28-foot-wide public waterfront promenade, not the site frontage along Via Marina. Thus, the sidewalk would be maintained. No further response is warranted.

Response E-6

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER F

From: [Beth Holden](#)
To: [Kevin Finkel](#)
Subject: MARRIOTT Hotel Project in Marina Del Rey
Date: Monday, July 20, 2015 11:13:51 PM

Dear Mr. Finkel:

I have been a resident in the Marina for 23 years, and live on the Silver Strand on Roma Court. I wanted to write in opposition of the proposed Marriott Hotel Project that is being proposed on Marina Way. There are ample hotels in the area, and we don't need another that is nestled deeply in our neighborhood.

This is clearly a residential area, and not an appropriate area for a commercial business like a Marriott Hotel (especially when there is one right up the street at Admiralty Way). It would clearly be a nuisance to the neighborhood, and could affect our property values, traffic, and other things like crime with workers coming in and out of this private residential area.

If you can imagine a large commercial business being erected on the street from where you reside, with traffic and workers coming in and out every day, it's not ideal for a quiet, safe, and peaceful residence.

I would hope that you reconsider this plan, and do not support it going forward.

Thank you.

Beth Holden-Garland
4103 Roma Court
Marina Del Rey, CA 90292
310/600-0127

LETTER F

Beth Holden-Garland
(July 20, 2015)

Response F-1

The comments regarding the opposition to the proposed hotel project is noted and will be provided to the decision makers for their consideration. While it is acknowledged in the County September 2014 Marina del Rey Vision Statement that the west side of Marina del Rey is shown as being part of a Residential District, the land use designation for Parcel 9U is hotel and the Reduced-Scale Project is consistent with the provisions of the Marina del Rey LUP. The Vision Statement recommends that the Residential District is intended to remain a predominantly residential area supported by resident-serving uses. The Reduced-Scale Project would provide a number of resident-serving uses, such as dock facilities, enhanced waterfront promenade, restaurant services that would serve the surrounding residential community in addition to hotel guests and a new public Wetland Park on the southern portion of Parcel 9U. Furthermore, the Vision Statement does not preclude the development of Parcel 9U with a hotel, as the Marina del Rey LUP designates. The Vision Statement concedes that four land use districts are not exclusive to the primary land use and they are not intended to exclude other compatible land uses. The Certified EIR included analysis of impacts on the infrastructure of Marina del Rey, including traffic, public services and utilities. Based on the analysis presented in the EIR Addendum, the Reduced-Scale Project would not increase traffic impacts, including cumulative impacts, relative to those identified in the Certified EIR for the Original Project. Therefore, the Reduced-Scale Project would not increase impacts already concluded in the Certified EIR for any of the infrastructure factors. Therefore, no further environmental analysis is required.

LETTER G

From: Cassie Hermiston-Boyd
To: Kevin Finkel
Subject: Hotel on Parcel 9U- Marina del Rey
Date: Monday, July 20, 2015 3:57:46 PM

Hearing: July 22, 2015
Regional Planning Commission Hearing: July 22, 2015
RE: #8 Project TR067861-(4) - Hardage Group hotel - Parcel 9U in Marina del Rey

Dear Mr. Kevin Finkel and Regional Planning Commissioners:

I am writing to request that you urge the Department of Regional Planning to not approve Project TR067861-(4), the Hardage Group hotel in Marina del Rey Parcel 9U based on changed circumstances that have already been approved. They include high density apartments within 3 blocks of the proposed hotel, the California drought, and the restrictions and ordinances recently put in place to address it. Please request a new EIR. Also, please deny the request for zero set off. It would eliminate a suitable sidewalk for pedestrians.

I live in the Silver Strand Neighborhood which is part of the city of Los Angeles, but directly across from Parcel 9U. If this hotel is approved it will cause permanent and negative impacts to my community and neighborhood. First, Parcel 9U is zoned in a residential neighborhood. Second, I live in a pocket neighborhood with very few routes for ingress and egress. With the approved re- development of Bar-Harbor Apartments, Neptune Marina Apartments, and the 3 year sewer pipeline project, we already have enough to grapple with in this fragile, tsunami- zoned area. We are particularly concerned about emergency preparedness in the Silver Strand.

Under CEQA 1516.2, a substantial change with respect to the circumstances under which the project was undertaken will require major revisions. Most of us would agree that the drought is a substantial change. The State Water Resources Control Board passed revisions; the Los Angeles County Department of Water & Power is putting in place its Storm Water Capture Master Plan; and the California Water Commission revised its ordinance.

The ecologically sensitive location of the project, adjacent to the waterfront and wetlands park, positions it to benefit tremendously by including many revisions in these regulations and ordinances, if it is built. This location is just the kind that many of these were designed to protect. Future Angelinos will wonder what County Planners were thinking if these plans are approved in the face of the drought and good government's new revisions and regulations.

Please urge Los Angeles County Department of Regional Planning Commissioners to exercise the vision the people of Marina del Rey have entrusted to them: deny approval and request a new EIR.

Thank you!

Regards,
Cassie Boyd

LETTER G

Cassie Boyd
(July 22, 2015)

Response G-1

This comment in opposition of the Reduced-Scale Project is noted. The commenter suggests that the current drought conditions in California constitute a substantial change in circumstances such that preparation of a new EIR or Supplemental EIR is warranted, and also requests that the zero setback request be denied. However, as discussed in **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis**, the Reduced-Scale Project would not result in any increases in water demand compared to the Original Project, and would also be required to implement applicable water use restrictions and incorporate water conservation features such as low-flow fixtures, drought-tolerant landscaping, and other features to further reduce demand for potable water. The commenter's request to deny the zero setback is not relevant to the analysis presented in the EIR Addendum and the comment does not raise a substantive issue on the content of the document. As such, no further response is warranted.

It is not clear how the presence of high density apartments within three blocks of the proposed project relates to changed circumstances for the hotel. It is not clear to which three high density apartments are referred. The Certified EIR acknowledges the presence of high density apartments in the project vicinity and these are considered in the cumulative impact analysis. Therefore, no further response can be made.

Response G-2

The comments regarding the hotel on Parcel 9U causing permanent and negative impacts to the community are noted. Parcel 9U is not zoned for residential land uses but has for decades been designated for hotel use. The Coastal Commission previously permitted in 1981 the construction of a nine-story, 300-room hotel with associated commercial space on Parcel 9U.

The Certified EIR considered in the 2009 Re-circulated DEIR the potential impacts to traffic with a worst case analysis of simultaneous construction of Bar Harbor (Esprit II), the Shores Apartments, the Venice Dual Force Main sewer, Neptune Marina Apartments and the proposed hotel. The Certified EIR concluded that potentially significant impacts would result for construction-related Noise and Vibration impacts, construction-related Air Quality impacts, cumulative construction Noise and Vibration impacts, cumulative construction Air Quality impacts, and cumulative Construction Traffic impacts. The Shores project is now complete and the Bar Harbor construction impacts would mostly be complete by the time the hotel project is under construction. These construction impacts are temporary and would not be long-term.

Response G-3

Please see Response to Comment G-1 above and **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis** regarding changes in circumstances as relates to drought conditions. Recent legislation or other actions taken by government agencies to address water supply issues are not germane to the EIR Addendum or the analyses presented therein. As such, no further response is warranted.

Response G-4

The commenter suggests that various regulatory requirements would benefit the Reduced-Scale Project if it were implemented, but offers no specifics regarding how and to what extent such benefits would be realized or identifies any particular regulatory requirements. Nonetheless, this comment does not raise a substantive issue on the content of the EIR Addendum, and therefore no further response is necessary.

Response G-5

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER H

From: [Daniel Gracy](#)
To: [Kevin Finkel](#)
Subject: MDR hotel project
Date: Saturday, June 20, 2015 12:09:10 PM

Kevin,

I understand growth, building new places, building on unused property etc. but I don't see how adding thousands more people in a small peninsula area with one way in and one way out is going to work out well. Currently most everything that is new build, twice as big, or going to be slated to be torn down and built double the size and now adding a huge hotel where there is no building currently.

Via Marina is basically a freeway now with a speed limit of 45 so 50+ is really what everyone goes with some thinking it's a race track or a place to get up to 50 as quick as possible. The noise level is already becoming oppressive with all the trucks, motorcycles, fire engines, ambulances, increased traffic, and basically a freeway sound from all the cars. Check the local fire station and ambulance calls. Almost everyday loud sirens go right past my window. Many days it is multiple sirens up and back. Someone in our building mentioned that is has been going on every Friday for months.

From where we are today, which is much worse than four years ago when I bought in this area, they are going to build in the area they tore down the old apartments (put in twice as many people), tear down the place next to them and double its size, tear part down farther down the street and add more people, restaurants, stores etc., and add a huge hotel! I can't imagine adding thousands of people from where we are today and all the cars, delivery trucks, garbage trucks, Harleys, taxis, sirens etc. The noise pollution will be unbelievable. It has already become bad where I can't leave my window open like I used to before. It will be like New York with just noise all the time.

In the letter received it mentions an environmental report done in 2011. During that one did they put in all the new places when everything is done?

I work from home so I hear it all day long. I can't imagine what it will be like when everything is done. Some of it will be nicer but that only goes so far when you over populate then one just becomes agitated all the time not even including all the extra people traveling down to the beach.

More people, more traffic, more noise, more construction, less peace and quite, marina views gone, harder to get in and out, and more people blowing through stop signs (everyday), more cars flying past others in the opposite lanes to pass, more cars zooming past families on bikes, people with dogs, kids etc. I guess it will be the new Venice. Not a place or area I want to live!

Thanks,

Daniel

LETTER H

Daniel Gracy
(June 20, 2015)

Response H-1

The comments regarding the opposition to the proposed hotel are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response H-2

The comments regarding the existing noise levels and traffic speeds are noted and will be provided to the decision makers for their consideration. The Certified EIR contained a noise analysis that concluded noise level increases associated with project generated traffic were predicted to be less than 3 dB(A) CNEL at all locations. Noise increases of less than 3 dB(A) CNEL would not exceed the off-site mobile source thresholds of significance for this analysis and would not generally be perceptible to the human ear while increases between 3 dB(A) and 5 dB(A) may be noticed by some individuals who are extremely sensitive to changes in noise. Therefore, no significant off-site noise impacts would occur as a result of project operation when compared with existing conditions. No further response is warranted.

Response H-3

The comments regarding the existing noise levels are noted and will be provided to the decision makers for their consideration. The Reduced-Scale Project would not cause significant noise impacts. Specifically, as discussed in the EIR Addendum, the Reduced-Scale Project would result in similar overall intensity and duration of construction activities, and would also reduce the amount of related soil excavation and haul truck trips compared to the Original Project, and thus construction-related noise impacts would be similar to those identified in the Certified EIR and would remain significant and unavoidable. Similarly, as the Reduced-Scale Project would include the same number of rooms and the same uses as the Original Project, the Reduced-Scale Project's project-specific and cumulative impacts with respect to point source noise would be less than significant. Lastly, the number of vehicle trips would be the same or similar under the Reduced-Scale Project as compared to the Original Project, and thus the Reduced-Scale Project would result in the same or similar mobile source noise levels. Therefore, like the Original Project, the Reduced-Scale Project's project-specific and cumulative impacts with respect to mobile source noise would be less than significant. As a result, both point source and mobile source noise levels associated with the Reduced-Scale Project would not result in any new significant impacts and would not substantially increase the severity of any previously identified significant impacts. Please also see Response H-2 above. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response H-4

The Certified EIR evaluated cumulative impacts resulting from future implementation of the Original Project in conjunction with other related projects in the area that could potentially contribute to cumulative environmental effects. The EIR Addendum confirms that such cumulative growth was properly accounted for in the Certified EIR, and further that anticipated growth in the area is consistent with current estimates. However, the comment does not address any specific environmental concern. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response H-5

Please refer to Response H-3 above regarding mobile source noise impacts. The comment does not address any specific environmental concern. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response H-6

The comments regarding various environmental concerns in general are noted and will be provided to the decision makers for their consideration. However, both the Certified EIR and the EIR Addendum comprehensively evaluate all relevant environmental topics, and further the EIR Addendum concludes that the impacts associated with the Reduced-Scale Project fall within the envelope of impacts determined for the Original Project in the Certified EIR, and in some cases reduces those impacts (e.g., as relates to height, massing and scale due to the reduced size and massing of the Reduced-Scale Project). As such, the Reduced-Scale Project would not result in any new significant impacts and would not substantially increase the severity of any previously identified significant impacts. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Table

Table 1

Table 2

Table 3

Table 4

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Table 8

Table 9

Table 10

Table 11

Table 12

Table 13

Table 14

Table 15

Table 16

Table 17

Table 18

Table 19

Table 20

Table 21

Table 22

LETTER I

Kevin Finkel

From: Richard Bruckner
Sent: Tuesday, July 07, 2015 2:59 PM
To: Kevin Finkel
Subject: FW: Marina del Rey - Parcel 9U - proposed hotel or alternative apartment complex

-----Original Message-----

From: Howard Sibelman [<mailto:howeez8802@gmail.com>]
Sent: Tuesday, July 07, 2015 2:35 PM
To: Richard Bruckner; Kevin Finkel; Sheila@bos.lacounty.gov;
MarkRidleyThomas@bos.lacounty.gov; hildalsolis@bos.lacounty.gov; Don@bos.lacounty.gov;
fifthdistrict@lacbos.org
Subject: Marina del Rey - Parcel 9U - proposed hotel or alternative apartment complex

The purpose of this email is to protest the development of Parcel 9U as anything other than a public park containing a small maritime museum including the history of Marina del Rey, and perhaps a center for educating the public about the Ballona wetlands (the southern portion of the parcel contains a wetland). One way of financing this would be to put a public bond issue on the ballot. I cannot attend the July 22, 2015 meeting of the Regional Planning Commission at which this proposal will be discussed and so I am writing this email. 1

Parcel 9U sits squarely in the middle of a residential area; a hotel does not belong on Via Marina. Moreover, there are already plenty of hotels nearby. 2

But even additional residential development would not be appropriate. The whole Marina suffers from incredible congestion caused by increasing the allowable population density to levels that the infrastructure cannot sustain. The Marina can only be accessed by a few streets off of Lincoln Blvd. The traffic on Lincoln Blvd, pumped up by the Playa Vista development, is intolerable. Accessing left turn lanes from Lincoln to enter the Marina is frequently impossible. Accessing left turn lanes to exit the Marina from Admiralty Way is often impossible. The meager left turn lanes cause traffic to back up into what are supposed to be through lanes further exacerbating what are already insufferable and dangerous conditions. 3

I have no doubt that there are already in existence, or will be in existence, environmental impact studies that conclude further development is feasible. I also have no doubt that not a single author of such studies lives in the Marina and suffers from the irreparable damage that has already been inflicted on its residents by allowing the current level of development. 4

Neither a hotel, nor a residential development should be allowed on Parcel 9U. 5

Howard Sibelman, CPA Retired

hss37@cornell.edu <<mailto:hss37@cornell.edu>> (preferred), or

howeez8802@gmail.com <<mailto:howeez8802@gmail.com>>

310 693-8802 Direct

310 736-8071 Mobile

LETTER I

Howard Sibelman
(July 7, 2015)

Response I-1

The comments regarding the proposal to develop Parcel 9U as a public park containing a small maritime museum is noted. However, Parcel 9U is zoned and designated for hotel use and a hotel was previously approved for Parcel 9U. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response I-2

The comment regarding a hotel not belonging on Via Marina because the area is residential and there are plenty of hotels nearby is noted. Parcel 9U is zoned and designated for hotel use and a hotel was previously approved for Parcel 9U. While it is acknowledged in the County September 2014 Marina del Rey Vision Statement that the west side of Marina del Rey is shown as being part of a Residential District, the land use designation for Parcel 9U is hotel and the Reduced-Scale Project is consistent with the provisions of the Marina del Rey LUP. The Vision Statement recommends that the Residential District is intended to remain a predominantly residential area supported by resident-serving uses. The Reduced-Scale Project would provide a number of resident-serving uses, such as dock facilities, enhanced waterfront promenade, restaurant services that would serve the surrounding residential community in addition to hotel guests and a new public Wetland Park on the southern portion of Parcel 9U. Furthermore, the Vision Statement does not preclude the development of Parcel 9U with a hotel, as the Marina del Rey LUP designates. The Vision Statement concedes that four land use districts are not exclusive to the primary land use and they are not intended to exclude other compatible land uses. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response I-3

The comments regarding the traffic congestion in Marina del Rey is noted. A traffic impact analysis (TIA) was prepared for the original 19-story the Woodfin Suite Hotel and Timeshare Resort in December 2007 and a Supplemental TIA has been prepared for the Reduced-Scale Project in the January 9, 2014. The recent TIA found that the baseline traffic conditions analyzed in the December 2007 traffic study still adequately describe existing traffic conditions as described in the January 9, 2014 Supplemental TIA. The EIR Addendum concludes that all Project-specific impacts can be reduced to less-than-significant levels with available and feasible mitigation measures; however, significant impacts would remain if implementation of the prescribed mitigation measures is delayed or the measures are not implemented. Lastly, the cumulative impacts can be reduced with implementation of available cumulative mitigation measures; however, cumulative operational traffic impacts would remain significant and unavoidable. As such, the Reduced-Scale Project would not result in any new significant impacts or increase the severity of impacts already identified in the Certified EIR.

Response I-4

The comments regarding the environmental impact studies concluding that additional development in Marina del Rey is feasible and the preparers of such studies probably do not reside in the Marina are noted. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response I-5

The comment regarding the opposition of development on Parcel 9U for either hotel or residential uses is noted. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER J

From: J Kurland
To: Kevin Finkel
Subject: Notice of Public Hearing July 22, 2015 - no Hardage/Marriott hotel
Date: Tuesday, July 21, 2015 3:19:07 PM
Attachments: Hardage MCH Brochure Investor 2014-06-09.pdf
Variance MUE E-1040112 Hardage.pdf
Proposed hotel elevations - no water view from Via Marina.pdf
Proposed hotel elevations 72-ft.pdf

Kevin Finkel

Department of Regional Planning
Los Angeles County
500 West Temple Street
Los Angeles, CA 90012

RE: Notice of Public Hearing July 22, 2015

County Project No. TR067861-(4)
Coastal Development Permit No. 200600007
Conditional Use Permit No. 200600288
Parking Permit No. 200600020
Variance No. 200600012
Environmental Assessment No. 200600216

Samuel Hardage, the proposed leasee of Parcel 9U, has a history of unscrupulous development practices and should not be awarded lease of the only remaining undeveloped parcel in Marina del Rey.

<!--[if !supportLists]-->1. <!--[endif]-->The proposed developer caused an expensive 4-year lawsuit over his refusal to pay the City of Emeryville's mandated minimum wage. In addition, he used his political connections in Washington to produce a controversial ICE raid on his Emeryville hotel in order to get rid of Woodfin employees who were suing him for back wages and trying to unionize. Has the County considered the negative publicity that will occur to Marina del Rey as a result, especially if Union members boycott hotels? A representative of Local 11 was present at the Small Craft and Harbor meeting. Local 11 (Unite Here) is a proactive union organizer representing over 20,000 workers in hotel, restaurant and other businesses. They are boycotted two Hiltons, the Beverly Hills Hotel and Bel Air Hotel, and the Long Beach Embassy Suites.

<!--[if !supportLists]-->> <!--[endif]-->Regarding Hardage's anti-Union posture, this is just one example. Google 'Hardage + Emeryville' to find much more.

<http://www.utsandiego.com/news/2007/jun/24/tulbray-calls-on-feds-to-investigate-hotel/>

<!--[if !supportLists]-->2. <!--[endif]-->Hardage's financing solicitation 'Invest LA' Exit Strategy declares "After the hotel operation, the estimated NOI will be \$9.81M annually, and after 5 years operation the hotel is projected to be valued at \$131M. It is expected that after 5 years, the property can be sold or refinance to repay the EB-5 investors. If the loan is not fully repaid upon maturity, the loan will be converted into equity ownership interest in the form of equity stock based on the prevailing Loan Balance to prevailing Market Value at the maturity date." Invest LA states the number of EB-5 investors will be up to 72. (Refer to last page of attachment.)

<!--[if !supportLists]-->> <!--[endif]-->Developer is gerrymandering areas such as Crenshaw and areas in South LA 80 blocks south of USC to wrongfully claim EB-5 status. This is illegal.

> <!--[endif]-->Developer is stating he has right to re-assign a County lease. This is illegal.

> <!--[endif]-->Developer will turn project into multi-owner situation. Had they known, the Small Craft Harbor Commission would have voted down a Time Share. However, Small Craft Harbor Commission review was circumvented in the hotel approval process, and only granted ex post facto as formality on November 12, 2014.

> <!--[endif]-->If the Developer is banking \$9.81M annually, the amounts paid to the County seem disproportional.

<!--[if !supportLists]-->> <!--[endif]-->For more information, please read attachment and:

<http://labusinessjournal.com/news/2013/now/04/developer-money-crosses-lines/>

http://la.curbed.com/archives/2013/11/developers_lying_about_building_in_poor_los_angeles_neighborhoods_to_grub_foreign_cash.php

http://www.laobserved.com/biz/2013/11/_developer_money_cro.php

Furthermore regarding project specifics:

<!--[if !supportLists]-->> <!--[endif]-->There are two cases pending regarding "flipping public leases" in Marina del Rey: Rizzo vs. LACO (at CA Appellate Court) and Nahhas/Gottlieb vs. LACO (Trial Conference in Sept.).

- <!--[if !supportLists]>> <!--[endif]>>Project conflicts with The Marina del Rey Vision Plan which was just approved last year after much consultation and vetting. |3
- > <!--[endif]>>View corridors and public access are not provided where the hotel exists. Refer to elevations: opening between buildings occurs 20-feet above grade. (Refer to attached elevation along Via Marina & water front.) |4
- > <!--[endif]>>Proposed building height (72') is 60% taller than the Venice Land Use Plan Exhibit 13 allows across Via Marina (45'). (Refer to attached elevation and Exhibit 13.) |5
- > <!--[endif]>>In the County's 'Original Findings of Fact' document most of Traffic Mitigation Measures (pp.202-208) listed are followed by "No feasible physical improvements are currently available to mitigate this potential cumulative impact." The amended analysis in 'Findings of Fact Regarding Addendum to the EIR' (HOA.1104867.1) does not offer viable solutions either. Thus, the traffic mitigation TIP fee will not mitigate the ever increasing traffic problem. |6
- > <!--[endif]>>According to 'Findings of Fact Regarding Addendum to the EIR' (HOA.1104867.1 p.4), only four parking spaces are free self-park. The Hotel, not County lots, will profit from new and existing amenities. Contrary to what Developer leads you to believe, water sports and water taxi stops already exist right there. |7

Thank you for voting against variances to permits for Marriott Courtyard and Residence Inn and lease Agreement to The Hardage Group. |8

Sincerely,

JJ. Kurland
19-year MDR resident

LETTER J

J.J. Kurland
(July 21, 2015)

Response J-1

The comments regarding the applicant's alleged development practices are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response J-2

The comments regarding the applicant's alleged development history are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response J-3

The commenter suggests that the proposed Reduced-Scale Project is not consistent with the Marina del Rey Visioning Statement. The commenter is incorrect. The Reduced-Scale Project (as with the Original Project) would be consistent with the Marina del Rey Land Use Plan (LUP), which is the adopted land use plan for the project site. Specifically, the project site (northern portion of Parcel 9U) is designated for Hotel uses in the LUP, which was certified by the California Coastal Commission on February 8, 2012. As such, the Reduced-Scale Project is consistent with the applicable land use plans and policies for the project area and thus no further response is warranted.

The Marina del Rey Vision Statement prepared in September 2014 generally grouped land uses into four, non-exclusive districts, which are not intended to exclude other compatible land uses. The Residential District is designated on the west side of Marina del Rey along Via Marina. The Vision Statement recommends that the Residential District is intended to remain a predominantly residential area supported by resident-serving uses. The Reduced-Scale Project would provide a number of resident-serving uses, such as dock facilities, enhanced waterfront promenade, restaurant services that would serve the surrounding residential community in addition to hotel guests and a new public Wetland Park on the southern portion of Parcel 9U. However, the Vision Statement does not preclude the development of Parcel 9U with a hotel, as the Marina del Rey LUP designates.

Response J-4

Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the Reduced-Scale Project, similar to the Original Project, would provide the requisite view corridors on-site to reduce impacts to visual resources to less than significant. Furthermore, as required by the California Coastal Act,

public access to the waterfront would be not only provided but substantially enhanced as part of the Reduced-Scale Project, through the provision of the 28-foot public waterfront promenade. The project has been designed with an unobstructed view corridor comprising 41 percent of the parcel's frontage on Via Marina (159 feet); this large public view corridor would be provided over the public Wetland Park to be developed on the southerly approximately 1.46 acres of the parcel. A view corridor totaling 20 percent of the parcel's water frontage is required for the proposed hotel, which would not exceed 72 feet in height. The subject parcel contains 386 feet of water frontage; therefore, per the certified LCP's view corridor requirements, a minimum view corridor comprising 78 linear feet of the parcel's water frontage is required. The Reduced-Scale Project provides 159 linear feet of view corridor, which is 81 linear feet in excess of the view corridor required by the certified LCP. Because the Reduced-Scale Project provides substantially more view corridor (159 linear feet) than required per the certified LCP (78 linear feet), the proposed hotel is consistent with provisions of the certified LCP calling for public and private views of the Marina from perimeter roadways. This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response J-5

The commenter claims that the Reduced-Scale Project is inconsistent with the scale of the surrounding community by drawing comparisons with the Venice Land Use Plan (which is not applicable to the project site). Nonetheless, both the Reduced-Scale Project at up to approximately 72 feet in height and the Original Project at up to approximately 225 feet in height are consistent with the height limits of the Marina del Rey Local Coastal Program (LCP). Specifically, as noted on page 10 of the EIR Addendum, "[c]onsistent with the Marina del Rey certified LCP, the height of the hotel structure would not exceed approximately 72 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards. The certified LCP classifies the northerly, "Hotel"-designated portion of the subject parcel as Height Category 5, allowing a maximum building height of 225 feet with provision of a view corridor comprising at least 40 percent of the parcel's water frontage." It is noted that the Neptune Marina Apartments on the adjacent Parcel 10R is approved for a building height of 60 feet along Via Marina, consistent with the Marina del Rey LUP.

Response J-6

Irrespective of the lack of feasible mitigation to reduce the significance of cumulative traffic impacts, the Reduced-Scale Project would not result in new or more severe environmental impacts than the Original Project evaluated in the Certified EIR. As discussed therein, the Original Project was determined to result in less than significant project-level traffic impacts but would result in a significant unavoidable cumulative traffic impact in conjunction with other development projects in the area even with implementation of applicable mitigation measures. Similarly, the Reduced-Scale Project was also determined in the EIR Addendum to result in similar impacts (i.e., less than significant project-level traffic impacts but significant unavoidable cumulative traffic impacts even with mitigation). Nonetheless, impacts of the Reduced-Scale Project would not be any more severe than under the Original Project. Thus, no further analysis or response is warranted.

Response J-7

The comments regarding parking-related revenues, economic benefits, and project-related amenities are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response J-8

The comments in opposition to the Reduced-Scale Project are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER K

From: Kevin Finkel
To: Kevin Finkel
Subject: Notice of Public Hearing July 22, 2015 - no Hardage/Marriott hotel
Date: Monday, July 20, 2015 5:14:26 PM
Attachments: Hardage MDR Brochure LAwest 2014-06-09.pdf
Venice LLP Exhibit 13 Height.pdf
Proposed hotel elevations - no water view from Via Marina vff
Proposed hotel elevations 724t.pdf

Kevin Finkel
Department of Regional Planning
Los Angeles County
500 West Temple Street
Los Angeles, CA 90012

RE: Notice of Public Hearing July 22, 2015
County Project No. TR067861-(4)
Coastal Development Permit No. 200600007
Conditional Use Permit No. 200600288
Parking Permit No. 200600020
Variance No. 200600012
Environmental Assessment No. 200600216

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hotmail.com
To: rbruckner@planning.lacounty.gov
Subject: Notice of Public Hearing July 22, 2015 - no Hardage/Marriott hotel
Date: Mon, 20 Jul 2015 17:12:28 -0700

Richard Bruckner
Department of Regional Planning
Los Angeles County
500 West Temple Street
Los Angeles, CA 90012

RE: Notice of Public Hearing July 22, 2015
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5
(cont.)

hotmail.com

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For more information, please read attachment and:

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http://la.curbed.com/archives/2013/11/developers_lying_about_building_in_poor_los_angeles_neighborhoods_to_grab_foreign_cash.php
http://www.latimes.com/biz/2013/11/_developer_money_cro.php

Furthermore regarding project specifics:

hotmail.com

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Project conflicts with The Marina del Rey Vision Plan which was just approved last year by the Regional Planning Commission after much consultation and vetting.

View corridors and public access are not provided where the hotel exists. Refer to elevations: opening between buildings occurs 20-feet above grade. (Refer to attached elevation along Via Marina & water front.)

Proposed building height (72') is 60% taller than the Venice Land Use Plan Exhibit 13 allows across Via Marina (45'). (Refer to attached elevation and Exhibit 13.)

In the County's 'Original Findings of Fact' document most of Traffic Mitigation Measures (pp.202-208) listed are followed by "No feasible physical improvements are currently available to mitigate this potential cumulative impact." The amended analysis in 'Findings of Fact Regarding Addendum to the EIR' (HOA.1104867.1) does not offer viable solutions either. Thus, the traffic mitigation TIP fee will not mitigate the ever increasing traffic problem.

14

According to 'Findings of Fact Regarding Addendum to the EIR' (HOA.1104867.1 p.4), only four parking spaces are free self-park. The Hotel, not County lots, will profit from new and *existing* amenities. Contrary to what Developer leads you to believe, water sports and water taxi stops already exist right there.

15

Thank you for voting against variances to permits for Marriott Courtyard and Residence Inn and lease Agreement to The Hardage Group.

16

Sincerely,

J.J. Kurland
19-year MDR resident

LETTER K

J.J. Kurland
(July 20, 2015)

Response K-1

The comments regarding the applicant's alleged development practices are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response K-2

Refer to Response to Comment K-1, above.

Response K-3

Refer to Response to Comment K-1, above.

Response K-4

Refer to Response to Comment K-1, above.

Response K-5

Refer to Response to Comment K-1, above.

Response K-6

Refer to Response to Comment K-1, above.

Response K-7

Refer to Response to Comment K-1, above.

Response K-8

Refer to Response to Comment K-1, above.

Response K-9

Refer to Response to Comment K-1, above.

Response K-10

Refer to Response to Comment K-1, above.

Response K-11

Refer to Response to Comment J-3 in Letter J (J.J. Kurland).

Response K-12

Refer to Response to Comment J-4 in Letter J (J.J. Kurland).

Response K-13

Refer to Response to Comment J-5 in Letter J (J.J. Kurland).

Response K-14

Refer to Response to Comment J-6 in Letter J (J.J. Kurland).

Response K-15

Refer to Response to Comment J-7 in Letter J (J.J. Kurland).

Response K-16

Refer to Response to Comment J-8 in Letter J (J.J. Kurland).

LETTER L

Regional Planning – July 22, 2015-Parcel 9U

As Regional Planning itself has stated "This is a residential community." This is not the place to put 288 rooms with construction workers and trucks and later, deliveries, employees, taxis, restaurant and bar traffic. The documents state that 1,538 new trips PER DAY will be generated; and these in addition to the 1600 new apartments built, under construction and to be constructed on the same two lane street already used by thousands of condo and apartment dwellers as well as many Silver Strand and Pacific Avenue homeowners. The documents also state that Admiralty, Washington, Lincoln and Venice will be difficult to access. This is no site for a hotel. 2400 new drivers have already been added.

1

Condominiums line Via Marina right here, especially within 100 feet of the project; to its immediate south and southwest are hundreds of apartments. The construction noise will be considerable from 7 to 7 according to the documents, which also state that the demand for water, sewage and solid waste will surpass what permitted, especially with respect to current landfill capacity.

2

The documents speak of the need to reduce contamination runoff into the public's small craft harbor and into Ballona Creek. When one reads in the documents about soil erosion and concern for the land during periods of rainfall, requiring devices to control erosion and provide safety and check for subgrade damage both during and after construction, this can hardly be a site for a hotel.

3

How can we rely for safety on a builder discredited by many bankruptcies and a major lawsuit, suggesting that another builder should have been considered during the length of these negotiations.

4

Six hotels in Marina del Rey is enough. Two Marriotts, one of them called Ritz Carleton, are privilege enough for this corporation. Marina del Rey was developed for all the residents of Los Angeles, for their recreation. The homeowners and renters for the most part pay post-proposition 13 taxes and high rents. We also support local business during the week when there are few visitors. We don't deserve this hotel in our midst. As for the tiny wetland park, it has no amenities whatsoever for our families, children, seniors, visitors, it's a farce and part of a land deal. We are opposed to this project.

5

LETTER L

L. Shapiro
(July 22, 2015)

Response L-1

Contrary to the commenter's statement, the Reduced-Scale Project (as with the Original Project) would be consistent with the Marina del Rey Land Use Plan (LUP), which is the adopted land use plan for the project site. Specifically, the project site (northern portion of Parcel 9U) is designated for Hotel uses in the LUP, which was certified by the California Coastal Commission on February 8, 2012. The Marina del Rey Vision Statement (2014) indicates that the area surrounding the project site is a Residential District, and thus is intended to remain a predominantly residential area supported by resident-serving uses. The Reduced-Scale Project would provide a number of resident-serving uses, such as dock facilities, enhanced waterfront promenade, restaurant services that would serve the surrounding residential community in addition to hotel guests and a new public Wetland Park on the southern portion of Parcel 9U. Furthermore, the Vision Statement does not preclude the development of Parcel 9U with a hotel, as the Marina del Rey LUP designates. The Vision Statement concedes that four land use districts are not exclusive to the primary land use and they are not intended to exclude other compatible land uses. With regard to traffic impacts, as discussed in the EIR Addendum, the Reduced-Scale Project would not result in new or more severe environmental impacts than the Original Project evaluated in the Certified EIR. As discussed in the Supplemental TIA, vehicle trips associated with the Reduced-Scale Project would be the same as, or similar to, those of the Original Project, and thus the baseline and future traffic conditions set forth in the Certified EIR adequately describe the existing traffic conditions, Project traffic conditions, and future plus Project traffic conditions. Therefore, the Original Project was determined to result in less than significant project-level traffic impacts but would result in a significant unavoidable cumulative traffic impact in conjunction with other development projects in the area even with implementation of applicable mitigation measures. Similarly, the Reduced-Scale Project was also determined in the EIR Addendum to result in similar impacts (i.e., less than significant project-level traffic impacts but significant unavoidable cumulative traffic impacts even with mitigation). Nonetheless, impacts of the Reduced-Scale Project would not be any more severe than under the Original Project. Thus, no further analysis or response is warranted.

Response L-2

As noted above and discussed in the EIR Addendum, the Reduced-Scale Project would not result in new or more severe environmental impacts than the Original Project evaluated in the Certified EIR, including impacts to construction noise and utilities (water, sewer, and solid waste services and infrastructure). The Certified EIR conservatively concluded that the Original Project (19-story hotel) would result significant solid waste impacts even with the implementation of mitigation measures. The Reduced-Scale Project would involve similar construction activity and during operation would generate less solid waste than the Original Project due to the elimination or reduction in the amount of certain uses that are ancillary to the hotel use. The Reduced-Scale Project would also implement the same mitigation measures as required by the Original Project. The Reduced-Scale Project design would have the same or lesser impact in association with solid waste, and project-specific impacts in this regard would be less than significant. However, a significant

cumulative impact is conservatively concluded for the Reduced-Scale Project. No further response is necessary.

Response L-3

The commenter suggests that given the various water quality requirements for development projects adjacent to the marina, the project site is not an appropriate location for a hotel use. However, the commenter provides no evidence to support this assertion, as the Reduced-Scale Project (as with the Original Project) would be required to comply with all applicable water quality and waste discharge regulations in order to ensure that substantial adverse effects do not occur. This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response L-4

This comment about the applicant's business practices is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response L-5

The comments in opposition to the Reduced-Scale Project are noted and will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER M

Kevin Finkel

From: MARLA HUNTER [marlahunter@msn.com]
Sent: Monday, July 13, 2015 8:39 PM
To: Kevin Finkel
Subject: Project No. TR067861-(4)

Dear Mr. Finkel-

I am writing on behalf of myself and other homeowners at the Marina Colony Strand building located at 4200 Via Dolce, Marina del Rey. Our building is located directly across the street from the proposed building. I purchased my unit in January 2015 and during that time could find no posted or recorded plans of this proposed build. My unit, as well as many others have a direct view of the Marina. Putting a six story building right in front of us would not only cause considerable traffic and noise issues, but would completely block (actually obliterate) all of our views and negatively impact our property value. A building of this height seems completely unreasonable and inappropriate for the area.

We will definitely be attending the hearing on July 22 but would appreciate any information on what we can do to be heard and considered on this issue.

Sincerely,

Marla Hunter
4200 Via Dolce #332
Marina del Rey, CA 90292
310-447-4368

LETTER M

Marla Hunter
4200 Via Dolce #332
Marina del Rey, California 90292
(July 13, 2015)

Response M-1

Contrary to the commenter's statement, the Reduced-Scale Project (as with the Original Project) would be consistent with the Marina del Rey Land Use Plan (LUP), which is the adopted land use plan for the project site. Specifically, the project site (northern portion of Parcel 9U) is designated for Hotel uses in the LUP, which was certified by the California Coastal Commission on February 8, 2012. As discussed in the Certified EIR for the Original Project, which also would be the case for the Reduced-Scale Project, construction and operation of proposed hotel uses within Parcel 9U would result in an incremental loss of visibility of Marina del Rey Basin B when viewed from Via Marina that is defined as a Scenic Highway. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the Original Project incorporated six view corridors that would mitigate the loss of available views for Parcel 9U. Because this Original Project was determined to be consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion were not considered significant in the Certified EIR. The Reduced-Scale Project has been designed with an unobstructed view corridor comprising 41 percent of the parcel's frontage on Via Marina (159 feet); this large public view corridor would be provided over the public Wetland Park to be developed on the southerly approximately 1.46 acres of the parcel. A view corridor totaling 20 percent of the parcel's water frontage is required for the proposed hotel, which would not exceed 72 feet in height. The subject parcel contains 386 feet of water frontage; therefore, per the certified LCP's view corridor requirements, a minimum view corridor comprising 78 linear feet of the parcel's water frontage is required. The Reduced-Scale Project provides 159 linear feet of view corridor, which is 81 linear feet in excess of the view corridor required by the certified LCP. Because the Reduced-Scale Project provides substantially more view corridor (159 linear feet) than required per the certified LCP (78 linear feet), the proposed hotel is consistent with provisions of the certified LCP calling for public and private views of the Marina from perimeter roadways. Since the Reduced-Scale Project would also provide the required view corridors consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, and would also be substantially reduced in terms of maximum building heights, impacts were determined to be less than significant. It should be noted that the Neptune Marina Apartments on the adjacent Parcel 10R is approved for a building height of 60 feet along Via Marina, consistent with the Marina del Rey LUP. Similarly, with regard to traffic and noise impacts, as discussed in the EIR Addendum, the Reduced-Scale Project would not result in new or more severe environmental impacts than the Original Project evaluated in the Certified EIR. Specifically, the Reduced-Scale Project would result in an overall similar duration and intensity of construction-related traffic and noise effects relative to the Original Project given the similarity in proposed hotel rooms and related amenities. Likewise, long-term operational traffic and noise impacts would be comparable to those of the Original Project based on the comparable mix of land uses on the site and overall similarity in nature and intensity of future operations. Thus, no further analysis or response is warranted.

Response M-2

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

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LETTER N

From: [nancy cotner](#)
To: [Kevin Finkel](#)
Subject: #TR067861 PROJECT CONCERNS
Date: Wednesday, July 15, 2015 3:17:14 PM

PROJECT # TR067861 MARRIOTT CONSTRUCTION ON VIA MARINA IN
MARINA DEL REY

PEDESTRIAN ACCESS

It appears you have neglected to include any discussion of effects on pedestrians during this project's construction.

Please do not eliminate our walking access along the water on the east side of the property as you have done during the current construction on Via Marina between Marquesa and Panay Way. Not only are we unable to walk along the water but the construction fences narrow the sidewalk along Via Marina so much that it is awkward for two people to pass. This makes it very difficult to walk north on Via Marina to get to Mother's Beach and the restaurants in the area.

Please address this issue in your final document.

PUBLIC WETLAND PARK

This is not described in the document filed at the library except to mention a separate permit. How do we find the project description and environmental analysis? What is the planned completion date?

PUBLIC HEARING JULY 22, 2015

Please have the courtesy to conduct a hearing in the local area instead of 9am in downtown making it difficult for most of us to attend.

Thank you.
Nancy Cotner

LETTER N

Nancy Cotner
(July 15, 2015)

Response N-1

As noted in the Certified EIR, construction activities along the public promenade would result in temporary closures of the waterfront promenade along the project site marina frontage. However, access to the waterfront would be maintained in areas not directly affected by construction activities. Further, during all times when access to the waterfront promenade is temporarily restricted, pedestrian facilities (sidewalks) along Via Marina would be provided such that access is maintained. Similarly, such closures are also anticipated to be required during construction of the waterfront promenade under the Reduced-Scale Project. Therefore, no further response is warranted.

Response N-2

The public wetland park is discussed and evaluated comprehensively in the Certified EIR. This facility was previously approved and its implementation would not affect, or be affected by, the future development of the Reduced-Scale Project given the passive nature of the wetland park's operation once constructed. There are currently no estimated commencement or completion dates for the public park. No further response is necessary.

Response N-3

The commenter suggests that a public hearing be conducted in the project area, rather than in downtown Los Angeles, and at an alternative time of day. This comment is noted and will be provided to the decision makers for their consideration. It is noted that the Regional Planning Commission held a public hearing on the Original Project (19-story hotel) in Marina del Rey on November 22, 2008. However, this comment does not raise a substantive issue on the content of the EIR Addendum, and therefore no further response is necessary.

LETTER O

Wednesday, July 22, 2015

Honorable Supervisors and Regional Planners:

No one denies better use can be made of this land. However, Marina del Rey is supposed to be a recreational area for the People. The County has a fiduciary duty to represent and protect the Public's interests.

- Marriott already has two hotels within walking distance. It is an economic concentration of interests to grant the same owner rights to build another hotel. This violates the 7th item in Exhibit C of the Assignment Standard for County Leases.
- Developer has a track record of litigation with Unions.
- Developer has a track record of litigation with California municipalities.
- Developer gerrymandered areas such as Crenshaw and South LA 80 blocks south of USC to wrongfully claim EB-5 status. Developer's 'Invest LA' Exit Strategy declares "...and after 5 years operation the hotel is projected to be valued at \$131M. It is expected that after 5 years, the property can be sold or refinance to repay the EB-5 investors. If the loan is not fully repaid upon maturity, the loan will be converted into equity ownership interest in the form of equity stock based on the prevailing Loan Balance to prevailing Market Value at the maturity date." Invest LA states the number of EB-5 investors will be up to 72. Developer stated he has right to re-assign a County lease. We believe this to be illegal.
- The Visioning Statement, on which the County spent a lot of money hiring consultants and a lot of time vetting, and the Regional Planning Commission approved last year highlights this area is in a Residential Zone. Although Parcel 9U was approved for hotel use years ago – when there was a residential time-share element, this does not mean a hotel is the appropriate use. The *current* Visioning Statement concludes this is a Residential Zone.
- Developer's claims of public amenities claims are mis-leading. Water bus service already exists right there on Tahiti near Via Marina, as well as another on this basin further down Marquesas. Paddle board rentals occur throughout the basins. The only difference is now the Public will pay to park in Developer's stalls instead of County lots.
- Proposed hotel is 60% taller than allowed across the street, and therefore is out of scale with the neighborhood. The cited 5 & 6-stories becomes 6 & 7-stories when including elevator shafts and cooling tower screens.

Project No. TR067861-(4)
MDR Parcel 9U

Name	Address	Date
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- Via Marina is designated as a "scenic drive". In order to make an arriving southbound turn into their main entrance, the median and all historic coral trees along the length of their frontage on Via Marina will be destroyed.

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In accordance with the Marina del Rey Visioning Statement,

We, the undersigned, call for a 'No' vote and:

- Not grant a lease for the last open space in MDR to Developer with a track record of litigation with other municipalities and Unions.
- Not grant Coastal Development Permit No. 200600007 for a 5- & 6-floor hotel which becomes a 6- & 7-story building
- Not grant Variance No. 200600012 authorizing zero set-backs of public land

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Name	Address	Date
1. Linda Nazaretian	4250 Via Dolce #119 MDR	7/18/15
2. Margaret Hartman	4200 Via Dolce #330 MDR	7/19/15
3. Patricia Lewis	4200 Via Dolce #328 MDR	7-18-15
4. Bonnie Williams	4300 Via Dolce #116 MDR	7/19/15
5. John Amy	4150 Via Dolce #134	7/19/15
6. John Beeman		
7. John	4200 Via Dolce #123	7/19/15
8. Marion C. Gade	4350 Via Dolce #107	7/19/15
9. John	4300 Via Dolce CE #12	7/19/15
10. Patricia Gade	4350 Via Dolce #109	7/19/15
11. Suzanne Russell	4350 Via Dolce #107	"

Project No. TR067861-(4)
MDR Parcel 9U

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signed over to the
Racem!!

Name	Address	Date
12. <u>M. M. Q.</u>	<u>4350 VIA DOLCE #108</u>	<u>7/19/15</u>
13. <u>Amity</u>	<u>4350 VIA DOLCE #105</u>	<u>7-19-15</u>
14. <u>M. M. Q.</u>	<u>4350 VIA DOLCE #105</u>	<u>7-19-15</u>
15. <u>David M. Hill</u>	<u>4350 VIA DOLCE #310</u>	<u>7/19/15</u>
16. <u>William DRUCKER</u>	<u>4350 VIA DOLCE #305</u>	<u>7/19/15</u>
17. <u>Leonard Amato</u>	<u>4350 VIA DOLCE 308</u>	<u>7/19/15</u>
18. <u>Sam. Tullio</u>	<u>4350 VIA DOLCE 308</u>	<u>7/19/15</u>
19. <u>W. S.</u>	<u>4050 VIA DOLCE #329</u>	<u>7/19/15</u>
20. <u>W. S.</u>	<u>4300 VIA DOLCE #102</u>	<u>7/19/15</u>
21. <u>Joe. Amato</u>	<u>4250 VIA DOLCE</u>	<u>7/19/15</u>
22. <u>Karen Gennaro</u>	<u>4250 VIA DOLCE</u> <u>Property Manager</u>	<u>7/20/15</u>
23. <u>John Pollack</u>	<u>4300 VIA DOLCE #117</u>	<u>7/20/15</u>
24. <u>Blake Pollack</u>	<u>4300 VIA DOLCE #117</u>	<u>7/20/15</u>
25. <u>NICOLE SCIPACCA</u>	<u>4250 VIA DOLCE #122</u>	<u>7/20/15</u>
26. <u>Trevor Delcave</u>	<u>4200 VIA DOLCE #131</u>	<u>7/20/15</u>
27. <u>Christie Perez</u>	<u>4200 VIA DOLCE #131</u>	<u>7/20/15</u>
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Project No. TR067861-(4)

MDR Parcel 9U

Additional signatures for on-line version of Petition

To read Comments, click on 'View' when in on-line version:

<http://www.gopetition.com/petitions/no-hotel-on-parcel-9u.html>

con't from hand sign #	on-line #	Name	Town/City	Comment	Date
28	1	Marla Hunter	Marina del Rey		17-Jul-15
29	2	Lynne Shapiro	Marina del Rey	View	17-Jul-15
30	3	Jessica Kurland	Marina del Rey		18-Jul-15
31	4	Jennifer Manoogian	Marina del Rey		18-Jul-15
32	5	Royal Moffatt	Marina del Rey	View	18-Jul-15
33	6	Sandra Gooch	Marina del Rey	View	18-Jul-15
34	7	Robin Akashi	marina del rey	View	18-Jul-15
35	8	Mike Warner	N/G		18-Jul-15
36	9	Justin Gruenberg	beverly hills	View	18-Jul-15
37	10	Timothy Smith	Marina del Rey	View	18-Jul-15
38	11	Cassie Hermiston-Boyd	Marina del Rey	View	18-Jul-15
39	12	Marlene Hartje	Marina Del Rey	View	18-Jul-15
40	13	Bethany Gorfine	Marina del Rey	View	18-Jul-15
41	14	Robert Nau	Marina Del Rey	View	18-Jul-15
42	15	Stan Polsky	Marina del Rey	View	18-Jul-15
43	16	Raffi and Nikki Gabriel	N/G		18-Jul-15
44	17	Susan Weinberg	N/G		18-Jul-15
45	18	Anonymous	N/G		18-Jul-15
46	19	Anonymous	N/G		18-Jul-15
47	20	Susanne Cumming	Marina del Rey		18-Jul-15
48	21	Judith J. Wiedman-Horton	Marina del Rey		18-Jul-15
49	22	cindy rosenberg	MARINA DEL REY		18-Jul-15
50	23	John Kape	Marina del Rey	View	18-Jul-15
51	24	Robert Briedis	Marina del Rey		18-Jul-15
52	25	Caryn Briedis	Marina del Rey		18-Jul-15
53	26	Leigh Richart	N/G		18-Jul-15
54	27	Anonymous	N/G		18-Jul-15
55	28	Molly Harne	Marina Del REY	View	18-Jul-15
56	29	janet wortman	N/G		18-Jul-15
57	30	Anonymous	N/G		18-Jul-15
58	31	Susan Maiorano	Marina del Rey		18-Jul-15

Project No. TR067861-(4)
MDR Parcel 9U

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con't from hand sign #	on-line #	Name	Town/City	Comment	Date
59	32	Shannon Wilson	Marina Del Rey		18-Jul-15
60	33	Ian Lavallee	Marina Del Rey		18-Jul-15
61	34	Anonymous	N/G		18-Jul-15
62	35	Howard Sibelman	Marina del Rey		18-Jul-15
63	36	CLAUDE SIEGEL	MARINA DEL REY	View	18-Jul-15
64	37	Natalie Sibelman	Marina Del Rey		18-Jul-15
65	38	Anonymous	N/G		18-Jul-15
66	39	Flore Delsol	Marina del rey		18-Jul-15
67	40	Marlene Harryman	Marina del Rey	View	18-Jul-15
68	41	Brian Smith	Marina del rey	View	18-Jul-15
69	42	Ashok Dhokia	N/G		18-Jul-15
70	43	Sandra Arnold	Marina del Rey		18-Jul-15
71	44	Donald Merrill	MARINA DEL REY		18-Jul-15
72	45	ellen mandel	marina del rey		18-Jul-15
73	46	Rami Tochtermann	Marina del Rey		18-Jul-15
74	47	Kelly Akashi	Marina del Rey		19-Jul-15
75	48	J.P. McMahon	Marina del Rey	View	19-Jul-15
76	49	Sylvia Rojas	N/G		19-Jul-15
77	50	Anonymous	Marina Del Rey		19-Jul-15
78	51	Anonymous	N/G		19-Jul-15
79	52	Daniel Gracy	marina del rey	View	19-Jul-15
80	53	Anonymous	N/G	View	19-Jul-15
81	54	Nancy Pregulman	Marina del Rey	View	19-Jul-15
82	55	Judy Manz	N/G		19-Jul-15
83	56	Lauren Kirshner	Marina Del Rey		19-Jul-15
84	57	Tara Peoples	Marina del Rey	View	19-Jul-15
85	58	Anonymous	N/G		19-Jul-15
86	59	Kelly Graham	N/G		19-Jul-15
87	60	Catherine Cooper	Marina del Rey	View	19-Jul-15
88	61	Dawn Decker	N/G		19-Jul-15
89	62	Elizabeth Hicks	Marina del Rey	View	19-Jul-15
90	63	Paula Fullerton	Marina Del Rey		19-Jul-15
91	64	Brian Cooper	N/G		19-Jul-15

Project No. TR067861-(4)
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con't from hand sign #	on-line #	Name	Town/City	Comment	Date
92	65	William Hicks	Marina del Rey	View	19-Jul-15
93	66	Stephen Kramer	N/G		19-Jul-15
94	67	Anonymous	Carpinteria	View	19-Jul-15
95	68	Nichole Tanning-Smith	N/G		19-Jul-15
96	69	Anonymous	Marina del Rey		19-Jul-15
97	70	robin boyd	Marina del Rey		19-Jul-15
98	71	Anonymous	Marina del Rey		19-Jul-15
99	72	martha moffatt	Marina del Rey		19-Jul-15
100	73	Sarah Meadows	Marina del Rey		19-Jul-15
101	74	MARC NOVAK	Marina Del Rey	View	19-Jul-15
102	75	Susan Tavares	N/G		19-Jul-15
103	76	Igor Segal	Marina Del Rey	View	19-Jul-15
104	77	Richard Kerrill	N/G	View	19-Jul-15
105	78	Anonymous	Marina Del Rey	View	19-Jul-15
106	79	jerry beckman	marina del rey	View	19-Jul-15
107	80	Jordan Mikes	Marina del Rey	View	19-Jul-15
108	81	Giovana Abbenante	Los Angeles	View	19-Jul-15
109	82	Anonymous	Marina del Rey	View	19-Jul-15
110	83	Elizabeth Holden-Garland	N/G	View	19-Jul-15
111	84	Alicia Cordova	Marina del Rey	View	19-Jul-15
112	85	Keith Nuechterlein	Marina del Rey		19-Jul-15
113	86	Jody Vanden Heuvel	Marina del Rey		19-Jul-15
114	87	Julie Adrian	N/G		19-Jul-15
115	88	marion Bissonette	Marina del Rey	View	19-Jul-15
116	89	Anne Kirkpatrick	Marina Del Rey	View	19-Jul-15
117	90	Anonymous	N/G		19-Jul-15
118	91	Margie Recana	Marina del Rey	View	19-Jul-15
119	92	Anonymous	Marina Del Rey	View	19-Jul-15
120	93	rebecca crandall	N/G	View	19-Jul-15
121	94	Kimberly Adams	Los Angeles	View	19-Jul-15
122	95	Barbara Patman	N/G	View	19-Jul-15
123	96	Anonymous	N/G		19-Jul-15
124	97	Anonymous	N/G		20-Jul-15

Project No. TR067861-(4)
MDR Parcel 9U

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con't from hand sign #	on-line #	Name	Town/City	Comment	Date
125	98	Russell Carey	Marina Del Rey	View	20-Jul-15
126	99	Douglas Miller	Marina Del Rey	View	20-Jul-15
127	100	Leeaundra Keany	Marina del Rey	View	20-Jul-15
128	101	Lina Shanklin	Marina Del Rey		20-Jul-15
129	102	Emily Wieser	N/G		20-Jul-15
130	103	Maria Mikes	Marina del Rey	View	20-Jul-15
131	104	Bonnie Wiseman	Marina Del Rey		20-Jul-15
132	105	Anonymous	N/G		20-Jul-15
133	106	Stephanie Don Vito	N/G	View	20-Jul-15
134	107	Anonymous	N/G		20-Jul-15
135	108	Kate T	N/G		20-Jul-15
136	109	Barbara Rothstein	Marina Del Rey	View	20-Jul-15
137	110	miche billot	marina del rey		20-Jul-15
138	111	Catherine Smith	N/G		20-Jul-15
139	112	Nancy Cohen	Marina Del Rey		20-Jul-15
140	113	Louise Steiner	N/G	View	20-Jul-15
141	114	ricky jashnani	Marina Del Rey	View	20-Jul-15
142	115	Eryn Ferdman-Miller	Marina Del Rey		20-Jul-15
143	116	Cherry Norris	Marina del Rey	View	20-Jul-15
144	117	Tasha Carey	N/G		20-Jul-15
145	118	Christopher Coffey	marina del Rey	View	20-Jul-15
146	119	Lola Taylor	N/G		20-Jul-15
147	120	Silvia F. Faerman	Venice		20-Jul-15
148	121	Allan Sanders	Marina del Rey	View	20-Jul-15
149	122	Anonymous	Marina Del Rey		20-Jul-15
150	123	Nancy Nuechterlein	Marina del Rey	View	20-Jul-15
151	124	Anonymous	Pasadena	View	20-Jul-15
152	125	Mark Galanty	Venice	View	20-Jul-15
153	126	Kevin Dafesh	N/G	View	20-Jul-15
154	127	Myron Orleans	N/G	View	20-Jul-15
155	128	Stuart Simon	N/G		20-Jul-15
156	129	Adriana Flores	N/G		20-Jul-15
157	130	Rita Silverman	Venice		20-Jul-15

Project No. TR067861-(4)

MDR Parcel 9U

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con't from hand sign #	on-line #	Name	Town/City	Comment	Date
158	131	Susan Painter	Venice	View	20-Jul-15
159	132	FRANCINE RINGOLD	Marina del Rey	View	20-Jul-15
160	133	Matt Musgrave	MARINA DEL REY	View	20-Jul-15
161	134	randolph ginsberg	marina del rey	View	20-Jul-15
162	135	Edy Seaver	Venice		20-Jul-15
163	136	John Ransom	N/G		20-Jul-15
164	137	James Schulte	Playa Del Rey		20-Jul-15
165	138	Richard T. MILLER	Van Nuys	View	20-Jul-15
166	139	Margaret Steinert	Playa del Rey	View	20-Jul-15
167	140	Bob Kushner	N/G		20-Jul-15
168	141	Anonymous	N/G	View	20-Jul-15
169	142	Stacy Sloss	N/G	View	20-Jul-15
170	143	Anonymous	Marina Del Rey	View	20-Jul-15
171	144	Gary Zimmerman	Marina del Rey	View	20-Jul-15
172	145	Carrie Lighthall	Marina deal rey	View	20-Jul-15
173	146	Simone Klein	Marina del Rey		20-Jul-15
174	147	Daryl Whitlock	Marina del Rey		20-Jul-15
175	148	Richard Kaplan	MDR	View	20-Jul-15
176	149	Barbara Savant	Marina del Rey	View	20-Jul-15
177	150	Anonymous	N/G		20-Jul-15
178	151	Harry Lederman	N/G		20-Jul-15
179	152	Barbara Lonsdale	N/G		20-Jul-15
180	153	Patricia Barrett	Marina del Rey		20-Jul-15
181	154	Richard Schwantes	Marina del Rey		20-Jul-15
182	155	Lenore DeBuono	Marina del Rey		20-Jul-15
183	156	Joanne smith	Marina Del Rey		20-Jul-15
184	157	Howie Ronay	Marina Del Rey	View	20-Jul-15
185	158	Elaine Haber	N/G		20-Jul-15
186	159	Cynthia Whitham	Marina del Rey	View	20-Jul-15
187	160	Mitchel Kadish	Venice		20-Jul-15
188	161	Donna Murray	Los Angeles		20-Jul-15
189	162	stephanie hoffman	N/G		20-Jul-15
190	163	Anonymous	Marina del Rey	View	20-Jul-15

Project No. TR067861-(4)

MDR Parcel 9U

To read Comments, click on 'View' when in on-line version:

<http://www.gopetition.com/petitions/no-hotel-on-parcel-9u.html>

con't from hand sign #	on-line #	Name	Town/City	Comment	Date
191	164	Charles Slossy	Los Angeles	View	20-Jul-15
192	165	Barbara Mastej	Venice		20-Jul-15
193	166	Michelle Coffey	Marina del rey		20-Jul-15
194	167	Gerald Sobel	Santa Monica	View	20-Jul-15
195	168	Maureen Milligan	marina del rey	View	20-Jul-15
196	169	Jack Neff	Los Angeles		20-Jul-15
197	170	Sandra Starr	Marina del Rey	View	20-Jul-15
198	171	Anonymous	N/G		20-Jul-15
199	172	Janae Brand	Marina del Rey	View	20-Jul-15
200	173	Harrison Starr	Marina del Rey		20-Jul-15
201	174	Sara Zervos	Marina del Rey	View	20-Jul-15
202	175	Lynn Morris	Marina Del Rey		20-Jul-15
203	176	Anonymous	N/G		20-Jul-15
204	177	Steve Bradbury	Marina Del Rey		20-Jul-15
205	178	Penny Akashi	Marina del Rey	View	20-Jul-15
206	179	Noreen Delgin	Marina del Rey		20-Jul-15
207	180	Anonymous	Marina del Rey	View	20-Jul-15
208	181	Pattie Siegel	Playa Vista	View	20-Jul-15
209	182	susan goodman	santa monica		20-Jul-15
210	183	Michele Kessler	Marina Del Rey		20-Jul-15
211	184	Robert Weitz	Marina Del Rey		20-Jul-15
212	185	Fred Grossman	N/G		20-Jul-15
213	186	William Durfee	Marina del Rey		20-Jul-15
214	187	Angela Whitney	Marina del Rey		20-Jul-15
215	188	Michelle LeTarte	N/G		20-Jul-15
216	189	michelle zweig	marina del rey		20-Jul-15
217	190	Michael Klein	Marina Del Rey		20-Jul-15
218	191	Cayetano Ferrer	N/G		20-Jul-15
219	192	Anonymous	N/G		20-Jul-15
220	193	misty tosh	marina del rey	View	20-Jul-15
221	194	Bev-Sue Powers	Playa Del Rey		20-Jul-15
222	195	Andree Armand	N/G	View	20-Jul-15
223	196	Bertram R. Zweig	Marina del Rey, C 90	View	20-Jul-15

Project No. TR067861-(4)

MDR Parcel 9U

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<http://www.gopetition.com/petitions/no-hotel-on-parcel-9u.html>

con't from hand sign #	on-line #	Name	Town/City	Comment	Date
224	197	Anonymous	Marina del Rey		20-Jul-15
225	198	Richard Marty	Marina Del Rey	View	20-Jul-15
226	199	Anonymous	Marina del Rey		20-Jul-15
227	200	Dhun May	Santa Monica	View	20-Jul-15
228	201	Elizabeth Sheets	Marina del Rey	View	20-Jul-15
229	202	Karen Schuler	Marina Del Rey		20-Jul-15
230	203	rich carvantes	marina del rey	View	20-Jul-15
231	204	linda light	N/G	View	20-Jul-15
232	205	Marianne Tauber	Marina del Rey	View	20-Jul-15
233	206	Eileen Nugent	Marina del Rey		20-Jul-15
234	207	Adam Manacker	Marina Del Rey		20-Jul-15
235	208	Laurie Harris	Marina del Rey		20-Jul-15
236	209	Brad Tennesen	Marina del Rey	View	20-Jul-15
237	210	E James	Marina del Rey		20-Jul-15
238	211	M. Alfred "Fred" Karlsen	Marina del Rey		20-Jul-15
239	212	Colleen Ludwig	N/G		20-Jul-15
240	213	susanne madden	playa del rey	View	20-Jul-15
241	214	david eisner	marina del rey		20-Jul-15
242	215	DANA PACQUING	N/G		20-Jul-15
243	216	Jessica Fisher	Marina del Rey	View	20-Jul-15
244	217	Cynthia Perez-Brown	Los Angeles		20-Jul-15
245	218	Marilyn Hopkins	Marina del rey		20-Jul-15
246	219	Susan Greenberg	Marina del Rey		20-Jul-15
247	220	Laura Bierman	Marina del rey		20-Jul-15
248	221	LaVerne Boeckmann	Marina Del Rey	View	20-Jul-15
249	222	James Abel	Marina del Rey		20-Jul-15
250	223	John Pritchett	N/G		20-Jul-15
251	224	Paul Hopkins	Marina del rey		20-Jul-15
252	225	maggie hwang	N/G		20-Jul-15
253	226	Roslyn Walker	Marina del Rey	View	20-Jul-15
254	227	Tina Hopkins	Los Angeles	View	20-Jul-15
255	228	Betty Medin	Marina del Rey		20-Jul-15
256	229	Loren Fairchild	Marina Del Rey		20-Jul-15

Project No. TR067861-(4)
MDR Parcel 9U

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con't from hand sign #	on-line #	Name	Town/City	Comment	Date
257	230	James Adams	Venice		20-Jul-15
258	231	Ann Smeltzer	Playa del Rey	View	20-Jul-15
259	232	JIM LUKIS	MARINA DEL REY		20-Jul-15
260	233	Michelle Mullen	MDR	View	20-Jul-15
261	234	David Jaffa	N/G		20-Jul-15
262	235	Anonymous	Marina del rey		20-Jul-15
263	236	nora nicosia	N/G	View	20-Jul-15
264	237	firoz pak	marina del rey	View	20-Jul-15
265	238	james maurer	N/G	View	20-Jul-15
266	239	Kathy Comstock	Los Angeles		21-Jul-15
267	240	George Notaras	VENICE	View	21-Jul-15
268	241	Liz Seeman	Marina del rey		21-Jul-15
269	242	Carol Reynes	Venice	View	21-Jul-15
270	243	wolfe bragin	Marina Del Rey	View	21-Jul-15
271	244	dan avila	N/G	View	21-Jul-15
272	245	Mark Walker	N/G		21-Jul-15
273	246	Aylin Inel	Marina del Rey		21-Jul-15
274	247	John Goebel	N/G		21-Jul-15
275	248	Andrea Guerin	Marina del rey		21-Jul-15
276	249	Anonymous	N/G	View	21-Jul-15
277	250	Douglas Fay	Santa Monica	View	21-Jul-15
278	251	Anonymous	N/G		21-Jul-15
279	252	Cynthia Montgomery	Marina del rey	View	21-Jul-15
280	253	jenny chew	N/G		21-Jul-15
281	254	Gayle Rosenberg	Marina del Rey	View	21-Jul-15

LETTER O

Various Commenters
(July 21, 2015)

Response O-1

The comments regarding redevelopment of the project site in light of the perceived recreational nature of Marina del Rey are noted and will be provided to the decision makers for their consideration. However, because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response O-2

The presence of other hotel uses in the area, whether Marriott or otherwise, and associated economic concentration of such uses are not germane to the EIR Addendum or analyses presented therein. Therefore, no further response is warranted.

Response O-3

This comment regarding the applicant's litigation history with labor unions is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response O-4

This comment regarding the applicant's litigation history with California municipalities is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response O-5

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response O-6

Please refer to Response to Comment Q-2 in Letter Q (Stephen Kramer).

Response O-7

The commenter suggests that the description of public amenities associated with the Reduced-Scale Project is misleading but offers no specific evidence of how the EIR Addendum is inaccurate. The Reduced-Scale Project would provide a number of public amenities including the 28-foot-wide pedestrian promenade (approximately 386 feet in length), a new on-site waterfront restaurant, public docks, and a new public Wetland Park on the southern portion of Parcel 9U). Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Response O-8

The commenter claims that the Reduced-Scale Project is inconsistent with the scale of the surrounding community. However, both the Reduced-Scale Project at up to approximately 72 feet in height and the Original Project at up to approximately 225 feet in height are consistent with the height limits of the Marina del Rey Local Coastal Program (LCP). Specifically, as noted on page 10 of the EIR Addendum, “[c]onsistent with the Marina del Rey certified LCP, the height of the hotel structure would not exceed approximately 72 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards. The certified LCP classifies the northerly, “Hotel”-designated portion of the subject parcel as Height Category 5, allowing a maximum building height of 225 feet with provision of a view corridor comprising at least 40 percent of the parcel’s water frontage.” While both the Original Project and the Reduced-Scale Project would be consistent with the LCP height limits, the Reduced-Scale Project involves substantially reduced building heights, massing, and associated potential for view obstructions relative to the Original Project. As such, no further response is warranted.

Response O-9

The commenter suggests that proposed improvements to Via Marina to allow for southbound left-turn movements onto the property would result in adverse visual resources effects on a scenic highway. However, the scenic resources that are of particular value along this designated scenic route are of the marina and waterfront areas to the east (in the vicinity of Parcel 9U), not the roadway itself or existing median. As discussed in the Certified EIR, construction and operation of proposed uses on Parcel 9U would result in an incremental loss of visibility of Marina del Rey Basin B when viewed from Via Marina that is defined as a Scenic Highway. Consistent with requirements of the Marina del Rey LUP, and in conformance with the DCB, the project incorporated view corridors that would mitigate the loss of available views at this location. Because both the Original Project and Reduced-Scale Project are consistent with all development requirements defined in the Marina del Rey LUP, impacts associated with this visual resource criterion are not considered significant. Accordingly, the proposed modifications to the median of Via Marina along the project site frontage would not be considered a substantial adverse effect on scenic resources under both the Original Project and the Reduced-Scale Project. As such, the Reduced-Scale Project would not result in any new significant impacts or increase the severity of impacts already identified in the Certified EIR.

Response O-10

The comments in opposition of the Reduced-Scale Project are noted and these comments as well as the signatures included in the comment letter will be provided to the decision makers for their consideration. Because the comments do not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER P

July 21, 2015

Kevin Finkel
Los Angeles County Department of Regional Planning
kfinkel@planning.lacounty.gov
Hearing: July 22, 2015

RE: #8 Project TR067861-(4) - Hardage Group/Woodfin hotel - Parcel 9U in Marina del Rey

Dear Mr. Finkel and Department of Regional Planning Commissioners:

I am writing to request that the Department of Regional Planning not approve Project TR067861-(4), the Hardage Group/Woodfin hotel in Marina del Rey Parcel 9U based on changed circumstances: the California drought and the restrictions and ordinances recently put in place to address it. Please request a new EIR. Also, please deny the request for zero set off.

Under CEQA 1516.2, a substantial change with respect to the circumstances under which the project was undertaken will require major revisions. Most of us would agree that the drought is a substantial change, and now good government is responding. The State Water Resources Control Board passed revisions; the Los Angeles County Department of Water & Power is putting in place its Storm Water Capture Master Plan; and the California Water Commission revised its ordinance.

The ecologically sensitive location of the project, adjacent to the waterfront and wetlands park, positions it to benefit tremendously by including many revisions in these regulations and ordinances, if it is built. This location is just the kind that many of these were designed to protect. Future Angelinos will wonder what County Planners were thinking if these plans are approved in the face of the drought and good government's new revisions and regulations.

The request for zero set off would eliminate the sidewalk along Via Marina for people walking to the popular Marina del Rey Farmers Market.

Please exercise the vision the people of Los Angeles County have entrusted to you. Deny approval, request a new EIR and send this project back to the drawing board.

Kind regards,

Stephanie Don Vito
20 Catamaran St. #204
Marina del Rey

T00/T00

7/21/2015 10:09 FAX

LETTER P

Stephanie Don Vito
20 Catamaran Street #204
Marina del Rey, California
90292
(July 21, 2015)

Response P-1

This comment in opposition of the Reduced-Scale Project is noted. The commenter suggests that the current drought conditions in California constitute a substantial change in circumstances such that preparation of a new EIR or Supplemental EIR is warranted, and also requests that the zero setback request be denied. However, as discussed in **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis**, the Reduced-Scale Project would not result in any increases in water demand compared to the Original Project, and would also be required to implement applicable water use restrictions and incorporate water conservation features such as low-flow fixtures, drought-tolerant landscaping, and other features to further reduce demand for potable water. The commenter's request to deny the zero setback is not relevant to the analysis presented in the EIR Addendum and the comment does not raise a substantive issue on the content of the document. As such, no further response is warranted.

Response P-2

Please see Response to Comment P-1 above and **Topical Response, Revised Project Environmental Impacts Require No Supplemental Analysis** regarding changes in circumstances as relates to drought conditions. Recent legislation or other actions taken by government agencies to address water supply issues are not germane to the EIR Addendum or the analyses presented therein. As such, no further response is warranted.

Response P-3

The commenter suggests that various regulatory requirements would benefit the Reduced-Scale Project if it were implemented, but offers no specifics regarding how and to what extent such benefits would be realized nor identify any particular regulatory requirements. This comment does not raise a substantive issue on the content of the EIR Addendum, and therefore no further response is necessary.

Response P-4

The commenter states that allowing the zero setback would eliminate the existing sidewalk along Via Marina; however, the zero setback would only affect the eastern property boundary along the proposed 28-foot-wide public waterfront promenade, not the site frontage along Via Marina. Thus, the sidewalk would be maintained. No further response is warranted.

Response P-5

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

LETTER Q

From: [Stephen Kramer](#)
To: [Kevin Finkel](#)
Subject: Proposed MDR Marriott Courtyard and Residence Inn Project TR067861
Date: Tuesday, July 21, 2015 4:40:55 PM
Attachments: mdr_vision-statement.pdf

Mr. Finkel

I am writing to you on behalf of the residents of Marina del Rey regarding the hotel development project TR067861 proposed for the residential neighborhood surrounding the Special Plan zoned parcel 9U.

I have reviewed the following documents related to this project including:

MDR Visioning Statement
MDR Planning Presentation 101
MDR Land Use Plan
MDR Specific Plan
CEQA Findings of Fact
TR067861 Site Plans
TR067861 Mitigation Monitoring Plan
TR067861 Addendum to EIR
TR067861 Hearing Package

I am familiar with the neighborhood surrounding the site and I was quite surprised to hear about the proposed large hotel development.

Upon review of the above documents and discussions with MDR residents it is my conclusion that this large commercial business is completely out of character for the surrounding residential neighborhood and is completely contrary to the MDR Visioning Statement established to provide direction for developments in MDR.

It is CLEARLY INDICATED in the MDR Visioning Statement, created and established by the community members of MDR and the planning commission, that the development site parcel 9U is located in the RESIDENTIAL LAND USE AREA indicated in several figures within the statement including page 22 which I have attached for your review.

Although the hotel development proposed is aptly partially named 'Residence Inn', A HOTEL IS NOT A RESIDENCE! Residents are those community members with long term interest in the community and seek to further only the best interest of the community and its surroundings. Hotels harbor many unwelcome aspects of human behavior and the activities required to support them are also unwelcome in the established, peaceful, pleasant, neighborly, and beautiful surroundings of the MDR RESIDENTIAL NEIGHBORHOOD.

The LA Regional Planning Commission should act correctly, in accordance with the direction and objectives determined by MDR constituents as is its legal duty, and completely reject the proposed hotel development project TR067861 at parcel 9U; and eliminate the hotel zoning type for parcel 9U finally.

This is the best course of action recommended for the LA County Planning Commission at the meeting scheduled for 7-22-15 as MDR neighborhood residents are prepared to fight for

correct legal representation as expected and required by our democratic society. | 5
(cont.)

Sincerely,
Stephen Edward Kramer

--
Stephen Kramer
stevekramer99@gmail.com

LETTER Q

Stephen Edward Kramer
Stevekramer99@gmail.com
(July 21, 2015)

Response Q-1

This comment is noted. The commenter provides a brief introduction to the comment letter but does not provide any substantive comments on the EIR Addendum or the analysis presented therein. As such, no further response is warranted.

Response Q-2

The commenter suggests that the proposed Reduced-Scale Project is not compatible with surrounding residential development in the area, and is not consistent with the September 2014 Marina del Rey Vision Statement. While it is acknowledged in the County September 2014 Marina del Rey Vision Statement that the west side of Marina del Rey is shown as being part of a Residential District, the land use designation for Parcel 9U is hotel and the Reduced-Scale Project is consistent with the provisions of the Marina del Rey LUP. The Vision Statement recommends that the Residential District is intended to remain a predominantly residential area supported by resident-serving uses. The Reduced-Scale Project would provide a number of resident-serving uses, such as dock facilities, enhanced waterfront promenade, restaurant services that would serve the surrounding residential community in addition to hotel guests and a new public Wetland Park on the southern portion of Parcel 9U. Furthermore, the Vision Statement does not preclude the development of Parcel 9U with a hotel, as the Marina del Rey LUP designates. The Vision Statement concedes that four land use districts are not exclusive to the primary land use and they are not intended to exclude other compatible land uses. As such, the Reduced-Scale Project is consistent with the applicable land use plans and policies for the project area and thus no further response is warranted.

Response Q-3

The commenter states that the proposed Residence Inn hotel component of the Reduced-Scale Project is not considered a residential use, and further suggests that the introduction of hotel uses in the project area would result in adverse effects on the surrounding neighborhood. It is agreed that the hotel is not a residential use. However, as noted above in Response Q-2, the project site is designated for hotel uses in the Marina del Rey LUP, and further, the commenter offers no evidence to support the notion that hotel uses contribute to adverse effects on surrounding residential uses. Therefore, no further response is warranted.

Response Q-4

The commenter states that the County Regional Planning Commission (RPC) deny approval of the Reduced-Scale Project and re-zone the project site for non-hotel uses. However, the Reduced-Scale Project is, in fact, consistent with the Marina del Rey LUP land use designations and applicable County zoning designation for the project site, as noted above. As noted above in Response Q-2, the 2014 Vision Statement does not

exclude uses other than residential uses and the Vision Statement does not recommend that Parcel 9U eliminate the hotel zoning. Therefore, no further response is necessary.

Response Q-5

This comment is noted and will be provided to the decision makers for their consideration. Because the comment does not raise a substantive issue on the content of the EIR Addendum, no further response is warranted.

Topical Response – A Supplemental Environmental Impact Report Is Not Required

Original EIR Project Analysis

The Board of Supervisors (“Board”) of the County of Los Angeles (“County”) certified on April 26, 2011, the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort Project Final Environmental Impact Report, State Clearinghouse Number 2007031114, which consists of the Draft Environmental Impact Report (“Draft EIR”) dated September 2008, Technical Appendices to the Draft EIR dated September 2008, the Re-Circulated Draft Environmental Impact Report (“Recirculated Draft EIR”) dated June 2009, and the Final Environmental Impact Report, including Responses to Comments dated February 2010, collectively referred to as the (“Final EIR,”) and found that the Final EIR was completed in compliance with the California Environmental Quality Act (Public Resources Code Section 21000, *et seq.*) (“CEQA”). The Board certified that it received, reviewed and considered the information contained in the Final EIR. Prior to the Board certification, the Final EIR was certified by the Regional Planning Commission (“Commission”) in March 2010. Having been certified by the Commission and the Board, the Final EIR is herein referred to as the “Certified EIR”.

The purpose of the Addendum is to analyze the “Marina del Rey Marriott Courtyard and Residence Inn Hotel” (also referred to as the “Reduced-Scale Project”) proposed for development on the northerly approximately 2.2 acres of Marina del Rey Parcel 9U to determine whether any significant environmental impacts that were not identified in the original Certified EIR would result, or whether previously identified significant impacts would be substantially more severe. The Addendum was prepared in accordance with State CEQA Guidelines (Title 14, Cal. Code Regs., 15000 *et seq.*) Sections 15162 and 15164.

Supplemental EIR Standard

Section 15162(a) of the State CEQA Guidelines provides that, for a project covered by a Certified EIR or adopted negative declaration, preparation of a subsequent EIR or negative declaration is not required unless one or more of the following conditions occur:

1. *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
2. *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; or*

3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
- a. *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - b. *Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;*
 - c. *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - d. *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.*

Section 15164(a) of the State CEQA Guidelines states:

The lead agency or responsible agency shall prepare an addendum to a previously Certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 of the State CEQA Guidelines states that a Subsequent EIR would be required if (1) substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, becomes available.

The County determined that none of the thresholds under State CEQA Guidelines Section 15162 have been crossed because no project County made the required finding: "Substantial evidence in the administrative record shows the Reduced-Scale Project necessitates minor technical changes or additions to the previously-certified EIR, but that none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred."

Criteria For A Supplemental EIR Are Not Met

Project Changes Have Reduced The Project Size and Lessened Impacts

Changes to the proposed development within Parcel 9U have been proposed in response to the Board of Supervisor's April 2011 action remanding the project back to the Commission for its further consideration. Following completion of the Final EIR, the applicant for the Woodfin Suite Hotel and Timeshare Resort Project revised the project design at the direction of the Board, which, as noted, remanded the project back to Commission for further consideration. The applicant has significantly reduced the project's height, size and massing: the overall height has been reduced from 225 feet plus rooftop appurtenances to a maximum height of approximately 72 feet (approximately 61 feet along the Via Marina frontage with the approximately 72-foot tower slightly setback from Via Marina). The project would still provide 288 hotel rooms but in two lower-rise building "wings" oriented to the north (Parcel 10R-facing) and south (wetland park-facing) instead of a single 19-story tower. In addition, the applicant has eliminated the timeshare component.

Like the Original Project, the revised project (herein referred to as the "Reduced Scale Project") would include meeting rooms, which can be combined to a single larger space, a restaurant facing the Marina, a dining deck facing the Marina, a bar, pool deck, and a sundry shop. The Reduced Scale Project would not include a spa or a formal ballroom, but would include a gym for hotel guests. The Reduced Scale Project would provide 212 parking spaces in a single level, as compared to the original six levels of parking. The originally proposed promenade amenities and the wetland park amenities and interface between the two remain unchanged, as do the hotel vehicular access and truck loading element on Via Marina.

Project changes have resulted in a lower-scale hotel project on the same site as the previously proposed 19-story hotel. Overall, the square footage of development proposed for the Project site would be reduced from approximately 547,000 square feet under the original design to approximately 263,400 square feet under the Reduced Scale Project which has reduced the height, scale and massing compared to the Original Project design. The changes in the project are intended to reduce the impacts identified in the Certified EIR, and, as such, these changes to the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The reduced scale of the ancillary elements under the Reduced Scale Project (i.e., elimination of the formal ballroom, replacement of the spa with a gym for hotel guests) would likely reduce impacts with respect to issues that are affected by the scale of such uses, including traffic, mobile air quality, mobile noise, public utilities, and public services. However, for the purposes of these findings, the Board has conservatively assumed no reduction and that the Reduced Scale Project would generally generate the same level of impacts as the Original Project, except with respect to visual character.

With regard to changed circumstances, the buildout year for the proposed hotel has been updated to reflect the anticipated timing of project implementation, and an updated list of related projects has been prepared to reflect current development projects in the surrounding area to determine cumulative traffic conditions. A January 2014 Supplemental Traffic Impact Analysis was prepared

to compare with the original 2007 Traffic Impact Analysis. Based on a comparison of the related projects between Year 2007 and Year 2013 conditions, it can be concluded that, since the March 20, 2010 EIR certification for the Original Project, there have been no significant changes to related projects in the project area that could have substantial implications with regard to cumulative impacts that were previously analyzed. Overall, under Year 2013 conditions, there are fewer related projects in the immediate vicinity of the Project site, as shown in the respective related project location maps referenced above. Additionally, overall cumulative traffic generation for Year 2013 conditions is lower than under Year 2007 conditions.

No New Information Of Substantial Importance; All "New" Issues Were Previously Addressed

Several commenters have suggested that the current drought conditions experienced in California are changed circumstances requiring major revisions of the previous EIR due to the involvement of new significant environmental effects. The Certified EIR included in the water supply analysis the consideration of multiple dry years. A reliable water supply is completely dependent on the availability of water from the district's wholesaler, West Basin Municipal Water District (WBMWD). WBMWD has taken important steps such as wastewater recycling and groundwater recharge to reduce the vulnerability of supplies to extended droughts or other potential threats to reliability. As indicated in the Certified EIR, the Metropolitan Water District (MWD) adopted in 2008 a long-term Water Supply Allocation Plan that may require reductions of full service deliveries during periods of drought.¹ MWD has used several of these types of initiatives in the past (e.g., during the droughts of 1977-78 and 1989-92), which allowed the agency to meet the needs of its member agencies.

The Reduced-Scale Project would involve similar construction activity and during operation would consume less water than the Original Project due to the elimination or reduction in the amount of certain uses that are ancillary to the hotel use. The Reduced-Scale Project would result in an overall decrease of 7,637 square feet in ancillary hotel uses (e.g., restaurant, meeting space, bar/lounge, etc.) compared to the Original Project, from 21,436 square feet to 13,799 square feet, which is primarily due to the elimination of ballroom and spa facilities under the Reduced-Scale Project. As a result of the Reduced-Scale Project hotel room selection, the Reduced-Scale Project would result in at least 1,360 gallons per day of reduced water demand (approximately 1.5 acre-feet per year in water savings). It would also implement the same mitigation measures as the Original Project. Therefore, the Reduced-Scale Project would have the same or lesser impacts regarding water service as the Original Project, including project-specific and cumulative impacts. Although California is currently experiencing extended drought conditions, water supplies to the Marina del Rey Water System, maintained by the Department of Public Works as Waterworks District No. 80, are provided by the WBMWD, which has various mechanisms in place to ensure that adequate water deliveries are provided to meet ongoing demands within its service area even through

¹ See *Water Supply Allocation Plan Adopted by Metropolitan Board*, MWD News Release, February 12, 2008, http://www.mwdh2o.com/mwdh2o/pages/news/press_releases/2008-02/allocation_plan.pdf.

multiple-dry years (refer to WBMWD's 2010 Urban Water Management Plan).² Therefore, the Reduced-Scale Project can be concluded as having a less than significant impact on water service.

In addition to the estimated 1,360 gallons per day of reduced water demand, the project will incorporate the following water conserving features: low flow toilets, low flow showerheads, low flow aerators, automatic shut off faucets in public and employee restrooms, drip irrigation, and drought tolerant planting.

While the data in the Certified EIR is older, this was accounted for in the Addendum. The traffic analysis in the Addendum (Supplemental TIA) determined that the cumulative traffic projections were accurate and have not been exceeded as determined with updated traffic counts and review by County Traffic and Lighting. The Re-circulated EIR already accounted for the Los Angeles City Venice Dual Force Main replacement sewer line. Further, one of the cumulative projects in the original analysis has been built and a second is under construction and will be completed before the hotel begins construction. Mariners Village is a new project that proposes no increase in operational traffic (the same number of apartment units) and, as a newer project, Mariners Village will provide the cumulative traffic analysis that includes the hotel.

Criteria For An Addendum Have Been Met

No substantial changes in plans, policies, and regulations were identified that would present new conflicts that would result in significant or substantially more severe physical impacts on the environment. Additionally, no substantial changes to the environmental setting in the Project area have been identified since the certification of the EIR. Overall, no substantial changes in circumstances have occurred since certification of the EIR that would result in new significant impacts or substantial increases in the severity of previously identified significant impacts. Lastly, no other additional information of substantial importance has been found that would warrant preparation of a Subsequent EIR pursuant to Section 15162 of the State CEQA Guidelines.

Based on the analysis presented herein, it has been determined that the Reduced Scale Project would not result in any new significant impacts or a substantial increase in the severity of an impact disclosed in the Certified EIR or otherwise require preparation of a subsequent of supplemental EIR. Therefore, the Addendum to the Certified EIR is the appropriate CEQA document for the Reduced Scale Project. The environmental analysis relies in part on the analyses completed in the previous EIR and directly references the EIR, where appropriate. As such, none of the criteria for a supplemental or subsequent EIR was met; and an addendum was appropriate.

² West Basin Municipal Water District. "2010 Urban Water Management Plan," Draft. April 2011. <http://www.westbasin.org/files/planning-UWMP/west-basin-draft-UWMP-2010-with-appendices.pdf>. Accessed September 2014.

